

CRIMINOLOGY B:

CHAPTER 13

TEXT "Criminology the Core" by Larry J. Siegel

Course of Study Designed and Constructed by Dr. M. Scott

SECTION 1: Pages 413 – 318 (3 Pages of Hand Written Notes)

"Chapter Outline" to "Sex Related Offenses"

SECTION 2: Pages 418 – 430 (5 Pages of Hand Written Notes)

"Sex Related Offenses" to "Substance Abuse"

SECTION 3: Pages 430 – 445 (5 Pages of Hand Written Notes)

"Substance Abuse" to "Thinking Like a Criminologist"


**HEADINGS for ALL written work should follow the example below:*

Criminology A
(Course Title)

Student Name: _____
(First & Last)

Chapter / Section

Class Period: _____

TAKING NOTES: Approaches & Strategies: Teach Yourself How to Learn!		
The Classic Approach	Gather the Important Data <i>Target Reading!</i> 	WHO: Name the Players WHAT: Vocabulary WHEN: Dates in Order WHERE: Geography HOW: Actions & Process WHY: Reasons
<i>"In Your Own Words!!!"</i>		
The Personalized Approach "Summarize"	TRANSLATE "Text Book" English to YOUR English	<i>Copying "Word For Word" does NOT insure Understanding</i> TRANSLATION and SUMMARISING INSURES UNDERSTANDING

"Knowing ≠ Understanding just as Understanding ≠ Knowing" - Doc

Q & A: WRITTEN SUBMISSIONS

CREATE FIVE (5) Questions and Correct Answers for EACH SECTION

Questions should be related to the material being studied.

The questions should be written as if YOU were explaining the material to another person and wanted to see if they understood the Content of the Course.

Questions 1 – 3 should be “BASIC and FACTUAL”

(Vocabulary and/or Basic Information – “*Who, What, When & Where*”)

Questions 4 & 5 should require demonstration of “DEEPER UNDERSTANDING”

(Explain, Compare & Contrast – “*Why & How*”)

The Questions YOU CREATE should be labeled and numbered clearly.

ANSWERS to each question should be written on a new line – just below the question.

For Example: Let's say the topic we were talking about was “*Chickens*.”

(It won't be – but I don't want to give away answers from a topic we WILL be discussing),

GOOD “Q & A” Assignments would look like this:

Criminology A

Chapter 1: Section C

Dr. Scott

Period 9

Q1. “**What is a chicken?**” (Basic Vocabulary – *What?*)

A1. A bird of the clucking variety that many people find delicious.

Q2. “**Who usually raises chickens?**” (Basic Fact – *Who?*)

A2. Usually farmers but sometimes people who like to keep them as pets.

Q3. “**Where are chickens usually raised?**” (Geography - *Location*)

A3. In coops found on farms that often times have business relationships with fast food chains and grocery stores.

Q4. “**Why did the chicken cross the road?**” (Deeper Understanding – *Why?*)

A4. To get to the other side, away from many people who might be hungry.

Q5. “**Explain how a chicken can escape:**” (Deeper Understanding – *How?*)

A5. Using power tools, quick thinking and inspiring an uprising against the oppression of the farmers.

Chapter Outline

Law and Morality

Are Victimless Crimes Victimless?

The Theory of Social Harm

Moral Crusaders and Moral Crusades

Sex-Related Offenses

Paraphilias

Pedophilia

Prostitution

Incidence of Prostitution

Policies and Issues in Criminology

SEX WORK IN CONTEMPORARY SOCIETY

Policies and Issues in Criminology

THE INTERNATIONAL SEX TRADE

Types of Prostitutes

Becoming a Prostitute

Controlling Prostitution

Legalize Prostitution?

Pornography

Is Pornography Harmful?

Does Viewing Pornography Cause Violence?

Pornography and the Law

Substance Abuse

When Did Drug Use Begin?

Alcohol and Its Prohibition

Extent of Substance Abuse

Costs of Substance Abuse

Causes of Substance Abuse

Policies and Issues in Criminology

SUBSTANCE ABUSE AND PSYCHOSIS

Drugs and Crime

Drugs and the Law

Drug Control Strategies

Legalization of Drugs

FACT OR FICTION?

- ▶ Prostitution should be legalized because it is a victimless crime and many prostitutes make a substantial amount of money.
- ▶ Fewer kids are drinking today than 20 years ago.

In 2012, a mother contacted the Michigan State Police and reported that James Alfred Beckman had sexually abused her young child. The youngster told his mother that during the abuse, a computer and webcam had been present.

After interviewing the child, Michigan State Police (MSP) investigators interviewed Beckman and performed forensic exams on his computer that turned up not only photos of child pornography but also evidence of a network of individuals trafficking in child pornography. Working with the FBI, since the conspiracy crossed state lines, the MSP obtained evidence of online chats that Beckman had with others in his child pornography network. During many of the chats, Beckman was soliciting individuals who were conducting sexual acts with children, usually encouraging conversations about these activities and exchanging pornographic images and videos. Beckman was arrested and charged with multiple counts of attempted sexual exploitation of a child, attempted coercion of a child, and receipt and distribution of child pornography.

Evidence presented at trial showed that Beckman sexually abused and exploited two young children, and that he streamed and attempted to stream live video of this abuse and exploitation to others. Because he streamed his child pornography via webcam, there were no actual images or videos to enter as evidence, but people Beckman streamed to testified against him in court. Beckman was convicted and sentenced to 30 years in prison; others have been indicted and sentenced in the case for receiving child pornography.¹



public order crime

Behavior that is outlawed because it threatens the general well-being of society and challenges its accepted moral principles.

Societies have long banned or limited behaviors believed to run contrary to social norms, customs, and values. These behaviors are often referred to as **public order crimes** and are sometimes called victimless crimes, although as the Beckman case aptly shows, the latter term can be misleading.² Public order crimes involve acts that interfere with the operations of society and the ability of people to function efficiently. Whereas common-law crimes such as rape and robbery are banned because they cause social harm to a victim, other behaviors, such as prostitution and pornography, are outlawed because they conflict with social policy, prevailing moral rules, and current public opinion.

Statutes designed to uphold public order usually prohibit the manufacture and distribution of morally tinged goods and services such as erotic material, commercial sex, and mood-altering drugs. Prohibition of these acts can be controversial because they selectively criminalize desired goods or services. By outlawing sin and vice, they turn millions of otherwise law-abiding citizens into law violators. On the other hand, as the Beckman case shows, these acts may bring terrible harm and victimize people who are forced to participate without consent or free will.

This chapter covers these public order crimes. It first briefly discusses the relationship between law and morality. Next, it addresses public order crimes of a sexual nature: prostitution, pornography, and deviant sex acts called paraphilias. The chapter concludes by focusing on the abuse of drugs and alcohol.

Law and Morality

In 2011, rising political star Anthony Weiner was forced to resign from office after compromising photos he “tweeted” to young women were posted online. At first, Weiner denied responsibility, telling the media that his account had been hacked and/or that the picture had possibly been altered. On June 6, 2011, Weiner admitted that he had sent sexually explicit text messages and photographs to several women, both before and after he had gotten married.³ When Weiner tried a political comeback in 2013, his campaign for mayor of New York City came to an abrupt halt when the media found out that he had sent other women even more explicit photos of himself using the alias “Carlos Danger.”

Did Weiner’s behavior actually cause public harm? After all, he never actually met any of the women with whom he carried on a cyber-relationship. All his victims had to do was disconnect or delete his texts, tweets, and emails. Unlike James Alfred Beckman, Weiner never hurt anyone, or did he? Were the women receiving his tweets harmed?

While some may view Weiner’s behavior as odd yet essentially harmless, others considered his “sexting” as immoral and unworthy of a public figure. After all, it is a crime to expose oneself in public (indecent exposure), behavior that is punishable by a fine or jail term. If it is a crime in a public park, why not on the Internet? Was Weiner’s sexting grossly immoral or merely an example of those harmless human quirks and eccentricities we all possess in some measure?

The debate over morality has existed for all of recorded history. The line between behavior considered merely immoral and that which is considered criminal is often a fine one, but the consequences of crossing that line can be significant. As the Bible (Genesis 18:20) tells us, despite Abraham’s intervention, God destroyed the “Cities of the Plain” because, “The outcry against Sodom and Gomorrah is so great and their sin so grievous.”⁴ What was the sin that God felt deserved such drastic punishment? According to modern Bible scholars, despite having exhibited pride, excess of food, and prosperous ease, their citizens did not aid the poor and needy.⁵

Today, acts that most of us deem highly immoral are not necessarily criminal. There are no laws banning *superbia* (hubris/pride), *avaritia* (avarice/greed), *luxuria* (extravagance or lust), *invidia* (envy), *gula* (gluttony), *ira* (wrath), and *acedia* (sloth), even though they are considered the “seven deadly sins.” Nor is it a crime for a

private citizen to ignore the pleas of a drowning child, even though to do so might be considered callous, coldhearted, and unfeeling.

Conversely, some acts that seem both well intentioned and moral are nonetheless considered criminal:

- It is a crime (euthanasia) to kill a loved one who is suffering from an incurable disease to spare him or her further pain; attempting to take your own life (attempted suicide) is also a crime.
- Stealing a rich person's money in order to feed a poor family is still considered larceny.
- Marrying more than one woman is considered a crime (bigamy), even though multiple marriages may conform to some groups' religious beliefs.⁶

As legal experts Wayne LaFave and Austin Scott Jr., put it, "A good motive will not normally prevent what is otherwise criminal from being a crime."⁷

Are Victimless Crimes Victimless?

To answer this question, we might first consider whether there is actually a victim in so-called **victimless crimes**. Some participants may have been coerced into their acts, such as the children abused by James Alfred Beckman; if so, then they are victims. Opponents of pornography, such as Andrea Dworkin, charge that women involved in adult films, far from being highly paid stars, are "dehumanized—turned into objects and commodities."⁸ Although taking drugs may be a matter of personal choice, it too has serious consequences. One study of crack cocaine-using women found that more than half had suffered a physical attack, one-third had been raped, and more than half had had to seek medical care for their injuries.⁹ It has been estimated that women involved in street prostitution are 60 to 100 times more likely to be murdered than the average woman and that most of these murders result from a dispute over money rather than being sexually motivated.¹⁰

Some scholars argue that pornography, prostitution, and drug use erode the moral fabric of society and therefore should be prohibited and punished. They are crimes, according to the great legal scholar Morris Cohen, because "it is one of the functions of the criminal law to give expression to the collective feeling of revulsion toward certain acts, even when they are not very dangerous."¹¹

According to this view, so-called victimless crimes are prohibited because one of the functions of criminal law is to express a shared sense of public morality.¹² However, basing criminal definitions on moral beliefs is often an impossible task. Who defines morality? Are we not punishing mere differences rather than social harm? As Supreme Court Justice William O. Douglas so succinctly put it, "What may be trash to me may be prized by others."¹³ Would not any attempt to control or limit "objectionable" material eventually lead to the suppression of free speech and political dissent? Is this not a veiled form of censorship?

Research indicates that people who define themselves as liberals are also the most tolerant of sexually explicit material. Demographic attributes such as age, educational attainment, and occupational status may also influence views of pornography: the young and better educated tend to be more tolerant than older, less-educated people.¹⁴ Whose views should prevail? If a majority of the population chooses to engage in what might objectively be considered immoral or deviant behavior, would it be fair or just to prohibit or control such behavior or render it criminal? While it's difficult to measure or calculate the visits to porn sites on the Internet, according to Google's DoubleClick Ad Planner, which uses cookies to track users across the Web, dozens of adult destinations populate the top 500 websites; the largest gets 4.4 billion page views per month, three times the size of CNN or ESPN.¹⁵ However, the true extent of Internet porn is still a mystery, with guesstimates ranging from 3 to 30 percent of all Internet traffic. Even if the lowest estimates are correct it still means an awful lot of people are using Internet porn on a regular basis.¹⁶

victimless crime

Public order crime that violates the moral order but has no specific victim other than society as a whole.

FACT OR FICTION?

Prostitution should be legalized because it is a victimless crime and many prostitutes make a substantial amount of money.

FICTION Although they may be glamorized in films like *Pretty Woman*, most prostitutes can be viewed as victims likely to suffer coercion, rape, and physical attacks.

Considering its popularity, should all obscenity and pornography be legalized, no matter the content and participants? And if a small segment of society tried to define or limit objectionable material, might it not eventually inhibit free speech and political dissent? Not so, according to social commentator Irving Kristol:

If we start censoring pornography and obscenity, shall we not inevitably end up censoring political opinion? A lot of people seem to think this would be the case—which only shows the power of doctrinaire thinking over reality. We had censorship of pornography and obscenity for 150 years, until almost yesterday, and I am not aware that freedom of opinion in this country was in any way diminished as a consequence of this fact.¹⁷

Cultural clashes may ensue when behavior that is considered normative in one society is deplored by those living in another. Take for instance the practice of female genital mutilation, which has been performed on more than 100 million of the world's females; there are millions of girls who still suffer the procedure each year.¹⁸ Custom and tradition are by far the most frequently cited reasons for mutilation, and it is often carried out in a ritual during which the young woman is initiated into adulthood. The surgery is done to ensure virginity, remove sexual sensation, and render the females suitable for marriage; a girl in these societies cannot be considered an adult unless she has undergone genital mutilation. Critics of this practice, led by American author Alice Walker (*The Color Purple*), consider the procedure mutilation and torture; others argue that this ancient custom should be left to the discretion of the indigenous people who consider it part of their culture. "Torture," counters Walker, "is not culture." Can an outsider define the morality of another culture?¹⁹ Amnesty International and the United Nations have worked to end the practice. Because of outside pressure, the procedure is now forbidden in Senegal, Egypt, Guinea, and Togo, among other countries. However, it is growing in Western nations because immigrants continue the practice.

L01 Interpret what is meant by the term *social harm*.

The Theory of Social Harm

There is little disagreement that the purpose of criminal law is to protect society and reduce social harm. When a store is robbed or a child assaulted, it is relatively easy to see and condemn the harm done to the victim. It is, however, more difficult to identify the victims of immoral acts, such as pornography or prostitution, where the parties involved may be willing participants. Some men and women who work for high-paid adult escort services earn more in a few days than a waitress or kindergarten teacher earns in a year. Can we consider high-paid escorts who dispense sexual favors "crime victims"? People who employ sex workers may be wealthy and powerful people who freely and voluntarily spend their money for sexual services; certainly they are not victims either. If there is no victim, can there be a crime? Should acts be made illegal merely because they violate prevailing moral standards? And if so, who defines morality?

According to the theory of **social harm**, immoral acts can be distinguished from crimes on the basis of the injury they cause. Acts that cause harm or injury are outlawed and punished as crimes; acts, even those that are vulgar, offensive, and depraved, are not outlawed or punished if they harm no one.

The theory of social harm can explain most criminal acts, but not all of them. Some acts that cause enormous amounts of social harm are perfectly legal, whereas others that many people consider virtually harmless are outlawed and severely punished. It is now estimated that more than 500,000 deaths in the United States each year can be linked to the consumption of tobacco and alcohol, yet these "deadly substances" remain legal to produce and sell. Similarly, sports cars and motorcycles that can accelerate to more than 150 miles per hour are perfectly legal to sell and possess, even though more than 30,000 people die each year in car accidents. On the other hand, using marijuana is not only nonfatal but is sold for medical purposes in some states and has been decriminalized in others such as Colorado. Yet the sale

social harm

The injury caused to others by willful wrongful conduct

of marijuana is still banned both by the federal government and most state jurisdictions and punished with a prison sentence.²⁰ According to the theory of social harm, if more people die each year from alcohol, tobacco, and automobile-related causes, whereas smoking pot is relatively safe, then marijuana should be legalized and Corvettes, scotch, and Marlboros outlawed. But they are not.

Moral Crusaders and Moral Crusades

Public order crimes often trace their origin to moral crusaders who seek to shape the law to reflect their own way of thinking; Howard Becker calls them **moral entrepreneurs**. These rule creators, argues Becker, operate with an absolute certainty that their way is right and that they are justified in employing any means to get their way: "The crusader is fervent and righteous, often self-righteous."²¹ Today's moral crusaders take on such issues as prayer in school, gun ownership, same-sex marriage, abortion, and the distribution of sexually explicit books and magazines.

While some moral crusades are in fact aimed at curbing behavior that most of us find objectionable—for instance, animal cruelty or drunk driving—they can also create controversy when they are directed at behaviors engaged in by the majority of citizens. One popular focus for moral crusaders is anti-smut campaigns that target books considered too "racy" or controversial to be suitable for a public school library. According to the American Library Association, between 2000 and 2009, the *Harry Potter* series topped the yearly list of books challenged by critics who demanded their removal from school library shelves on charges they promoted Satanism and witchcraft. This past year, books such as *The Perks of Being a Wallflower*, by Stephen Chbosky, and *The Pillars of the Earth*, by Ken Follett, were pulled from libraries.²² These are the top books banned or challenged in the last decade:

1. *Harry Potter* series, by J. K. Rowling
2. *Alice* series, by Phyllis Reynolds Naylor
3. *The Chocolate War*, by Robert Cormier
4. *And Tango Makes Three*, by Justin Richardson/Peter Parnell
5. *Of Mice and Men*, by John Steinbeck
6. *I Know Why the Caged Bird Sings*, by Maya Angelou

Should librarians accede to the demands of a vocal minority or to the will of the majority?

THE SAME-SEX MARRIAGE CRUSADE One of the most heated moral crusades of this century has focused on marriage equality. One group of crusaders was determined to prevent the legalization of same-sex marriage; its objective was passage of an amendment to the U.S. Constitution declaring that marriage is between one man and one woman. The Defense of Marriage Act, which was passed in 1996 and defined marriage, for the purposes of federal law, as a union of one man and one woman, was one of this group's legal achievements.²³

Opposing them were activists who tirelessly campaigned for the civil rights of gay men and women. One of their most important victories occurred in 2003 when the Supreme Court delivered, in *Lawrence v. Texas*, a historic decision that made it impermissible for states to criminalize oral and anal sex (and all other forms of intercourse that are not conventionally heterosexual) under statutes prohibiting sodomy, deviant sexuality, or what used to be referred to as "buggery."²⁴ The *Lawrence* case involved two gay men who had been arrested in 1998 for having sex in the privacy of their Houston home. In overturning their convictions, the Court said this:

Although the laws involved here do not more than prohibit a particular sexual act, their penalties and purposes have more far-reaching consequences, touching upon the most private human conduct, sexual behavior, and in the most private of places, the home. They seek to control a personal relationship that, whether or not entitled to formal recognition in the law, is within the liberty of persons to choose without being

L02 Discuss the activities of moral crusaders.

moral entrepreneur

A person who creates moral rules, which thus reflect the values of those in power, rather than any objective, universal standards of right and wrong.

CONNECTIONS

Moral entrepreneurs are likely to use the interactionist definition of crime discussed in Chapter 1: acts are illegal because they violate the moral standards of those in power and those who try to shape public opinion.

punished as criminals. The liberty protected by the Constitution allows homosexual persons the right to choose to enter upon relationships in the confines of their homes and their own private lives and still retain their dignity as free persons.

As a result of this decision, all sodomy laws in the United States were suddenly unconstitutional and unenforceable; acts that were once a crime were legalized. The *Lawrence* decision paved the way for states to rethink their marriage laws. In 2003, Massachusetts's highest court ruled that same-sex couples are legally entitled to wed under the state constitution and that the state may not "deny the protections, benefits, and obligations conferred by civil marriage to two individuals of the same sex who wish to marry."²⁵ After a long, drawn-out legal process, the issue of same-sex marriage was resolved in 2015, when the U.S. Supreme Court ruled in *Obergefell v. Hodges* that state-level bans on same-sex marriage are unconstitutional. The Court ruled that the denial of marriage licenses to same-sex couples and the refusal to recognize those marriages performed in other jurisdictions violates the due process and equal protection clauses of the Fourteenth Amendment of the U.S. Constitution.²⁶

The same-sex marriage crusade raised a number of important issues: Is it fair to prevent one group of loyal tax-paying citizens from engaging in a behavior that is allowed others? Are there objective standards of morality or should society respect people's differences? After all, opponents of same-sex marriage claim, polygamy is banned, and there are age standards for marriage in every state. If same-sex marriage is legal, what about marriage to multiple partners or with underage minors? How far should the law go in curbing human behaviors that do not cause social harm? Who controls the law and should the law be applied to shape morality?

The public order crimes discussed in this chapter are divided into two broad areas. The first relates to what conventional society considers deviant sexual practices: paraphilias, prostitution, and pornography. The second area concerns the use of substances that have been outlawed or controlled because of the harm they are alleged to cause: drugs and alcohol.

L03 Describe the various forms of outlawed deviant sexuality.

2

Sex-Related Offenses

On August 24, 2009, Phillip Garrido, a long-time sex offender, was placed under arrest for the kidnapping of Jaycee Lee Dugard, a California girl who had been abducted on June 10, 1991, when she was 11 years old. She had been held captive for 18 years and raped repeatedly, bearing him two children. In 2011, Garrido was sentenced to 431 years in prison; his wife received a sentence of 36 to life.

This case is not unique. On June 5, 2002, Elizabeth Smart was abducted from her bedroom in Salt Lake City, Utah, and held captive until found nine months later. Elizabeth had been kidnapped by Brian David Mitchell, who was indicted for her kidnapping and sent to a mental health facility after being ruled mentally unfit to stand trial.²⁷ And in a case that created a media sensation, three women missing at least a decade were freed from a home in downtown Cleveland. Amanda Berry, Gina DeJesus, and Michelle Knight were all held captive in a home owned by local musician and bus driver, Ariel Castro.²⁸ The three women had been chained up in the basement of Castro's home and repeatedly beaten and raped. Berry gave birth in captivity and her daughter was 6 years old at the time of the rescue.



AP Images/Algerina Pena

Molly Shattuck (center) ex-wife of former Constellation Energy CEO Mayo A. Shattuck, leaves the Sussex County Courthouse, June 16, 2015, in Georgetown, Delaware, after pleading guilty to raping a 15-year-old boy at a vacation rental home. Shattuck, a former Baltimore Ravens cheerleader, must spend every other weekend in a Delaware work-release detention center for nearly two years and register as a sex offender.

Although these sex-related kidnappings are stunning in their sordidness, they are not rare. Each year thousands of children are abducted by strangers, and hundreds of thousands are subjected to some form of sexual exploitation, including sexual abuse, prostitution, pornography, and molestation.²⁹

Paraphilias

In 2009, newspaper headlines around the world told the shocking story of actor David Carradine (*Kung Fu, Kill Bill*), who was found dead in a Thailand hotel. Authorities discovered the 72-year-old actor hanging in his closet, the victim of death resulting from engaging in an autoerotic practice known as asphyxiophilia, self-strangulation that restricts the supply of oxygen or blood to the brain in order to increase sexual intensity.³⁰

Carradine's death was attributed to his involvement with a common **paraphilia**, a term derived from the Greek *para*, "to the side of," and *philos*, "loving." Paraphilias are bizarre or abnormal sexual practices that involve recurrent sexual urges focused on (a) nonhuman objects (such as underwear, shoes, or leather), (b) humiliation or the experience of receiving or giving pain (as in sadomasochism or bondage), or (c) children or others who cannot grant consent.³¹ Paraphilias have existed and been recorded for thousands of years. Buddhist texts more than 2,000 years old contain references to sexually deviant behaviors among monastic communities, including sexual activity with animals and sexual interest in corpses. Richard von Krafft-Ebing's *Psychopathia Sexualis*, published in 1887, was the first text to discuss such paraphilias as sadism, bestiality, and incest.³²

When paraphilias such as wearing clothes normally worn by the opposite sex (transvestite fetishism) are engaged in by adults in the privacy of their homes, they remain outside the law's reach. However, when paraphilias involve unwilling or underage victims, they are considered socially harmful and subject to criminal penalties. Outlawed paraphilias include:

- *Frotteurism*. Rubbing against or touching a nonconsenting person in a crowd, elevator, or other public area.
- *Voyeurism*. Obtaining sexual pleasure from spying on a stranger while he or she disrobes or engages in sexual behavior with another.
- *Exhibitionism*. Deriving sexual pleasure from exposing the genitals to surprise or shock a stranger.
- *Sadomasochism*. Deriving pleasure from receiving pain or inflicting pain on another.
- *Pedophilia*. Attaining sexual pleasure through sexual activity with prepubescent children.

paraphilia

Bizarre or abnormal sexual practices that may involve nonhuman objects, humiliation, or children.

Pedophilia

Of all the commonly practiced paraphilias, pedophilia is the one that most concerns the general public. One focus of concern has been the ongoing scandals that have rocked the Catholic Church. Numerous priests have been accused of sexually molesting young children, among the most notorious being Father James Porter, convicted of molesting at least 200 children of both sexes over a 30-year period. Porter was sentenced to an 18- to 20-year prison term and died of cancer while incarcerated.

Men are not the only sexual predators; women are also involved. In one recent case that made national headlines, former Baltimore Ravens cheerleader Molly Shattuck was sentenced to two years of probation for engaging in a sex act with a 15-year-old boy.³³ At sentencing the prosecutor claimed, "This was not a momentary lapse in judgment. She groomed him, seduced him, supplied him with alcohol, then took advantage of him, all for her own gratification." Shattuck received a suspended 15-year prison sentence. She must report every other weekend to a probation center, register as a sex offender, and receive therapy. The Shattuck case is far from unique:

one study of more than 100 adult female sex offenders found that 77 percent of the cases involved sexual abuse of their own child and in about two-thirds of the cases the women had a male co-offender.³⁴

The cause of pedophilia has not been determined, but suspected factors include abnormal brain structure, social maladaptation, and neurological dysfunction. Research using brain scans shows that the central processing of sexual stimuli in pedophiles may be controlled by a disturbance in the prefrontal networks of the brain.³⁵ Brain trauma has also been linked to child molesting. And although injury may occur before or at birth, it is also possible that the damage caused by injury and/or accident can produce the brain malfunctions linked to pedophilia.³⁶ There is also some evidence that pedophilia is heritable and that genetic factors are responsible for the development of pedophilia.³⁷ Other suspected connections range from cognitive distortions to exposure to pornography.³⁸

L04 Distinguish among the different types of prostitutes.

prostitution

The granting of nonmarital sexual access for remuneration.

Prostitution

Prostitution has been known of for thousands of years. The term derives from the Latin *prostituere*, which means “to cause to stand in front of.” The prostitute is viewed as publicly offering his or her body for sale. The earliest record of prostitution appears in ancient Mesopotamia, where priests engaged in sex to promote fertility in the community. All women were required to do temple duty, and passing strangers were expected to make donations to the temple after enjoying their services.³⁹

Modern commercial sex appears to have its roots in ancient Greece, where Solon established licensed brothels in 500 BCE. The earnings of Greek prostitutes helped pay for the temple of Aphrodite. Famous men openly went to prostitutes to enjoy intellectual, aesthetic, and sexual stimulation; prostitutes, however, were prohibited from marrying.⁴⁰

Today, **prostitution** can be defined as granting nonmarital sexual access for remuneration, under terms established by mutual agreement of the prostitutes, their clients, and their employers. Included in this process are the following elements:

- *Activity that has sexual significance for the customer.* This includes the entire range of sexual behavior, from sexual intercourse to exhibitionism, sadomasochism, oral sex, and so on.
- *Economic transaction.* Something of economic value, not necessarily money, is exchanged for the activity.
- *Emotional indifference.* The sexual exchange is simply for economic consideration. Although the participants may know one another, their interaction has nothing to do with affection for one another.⁴¹



Hannibal Hanschke/Reuters/Landov

Prostitution remains a worldwide industry, and young women from poor nations are often forced to sell themselves in wealthier nations in order to survive. Here, Romanian prostitutes pose in the Pussy Club brothel in Schoenefeld, Germany, one of the few Western countries where prostitution is legal. But even in Germany prostitution has suffered during the recent economic downturn. The industry has responded with an economic stimulus package: modern marketing tools, rebates, and gimmicks to boost falling demand.

Incidence of Prostitution

It is difficult to assess the number of prostitutes operating in the United States. According to the Uniform Crime Report (UCR), fewer than 50,000 prostitution arrests are now being made annually, a number that has been trending downward for some time; about 100,000 arrests were made in 1995.

How can these changes be accounted for? Changing sexual mores, brought about by the “sexual revolution,” have liberalized sexuality. Men may be less likely to use prostitutes because legitimate alternatives for sexuality are more open to them. In addition, the prevalence of sexually transmitted diseases has caused many men to avoid visiting prostitutes for fear of irreversible health hazards.⁴²

Policies and Issues in Criminology

SEX WORK IN CONTEMPORARY SOCIETY

Meredith Dank and her colleagues at the Urban Institute conducted a recent study of prostitution in contemporary society, focusing on eight U.S. cities: Atlanta, Dallas, Denver, Kansas City, Miami, Seattle, San Diego, and Washington, D.C. Contemporary prostitution runs the gamut from high-end escort services to high school “sneaker pimps.” As a result, the sex trade leaves no demographic unrepresented and circuits almost every major U.S. city. The study found that the underground sex economy’s worth to these cities was between \$40 million and \$290 million. Almost all types of commercial sex venues—massage parlors, brothels, escort services, and street- and Internet-based prostitution—existed in some degree.

Pimps

Profiting from this vast enterprise were pimps and traffickers, who took home between \$5,000 and \$33,000 a week. Most pimps believed that the media portrayals exaggerated their violence; some even saw the term “pimp” as derogatory. They told the research team that they rarely used physical abuse for punishment, but instead relied on frequent use of psychological coercion to maintain control over their employees. Pimps used a variety of tactics to recruit and retain employees. Some even credited their entry into pimping with a natural capacity for manipulation. Rarely, however, were pimps the sole influence for an individual’s entry into the sex trade.

Not all sex workers had pimps; some solicited protection from friends and acquaintances, some of whom had exposed them to the sex trade at a young age and influenced their decision to participate.

The Internet Is Changing the Limitations of the Trade

Dank and her associates found that prostitution is decreasing on the street but thriving online. Pimps and sex workers advertise on social media and sites like Backpage.com to attract customers and new employees, and to gauge business opportunities in other cities. An increasing online presence makes it both easier for law enforcement

to track activity in the underground sex economy and for an offender to promote and provide access to the trade.

The study also looked at the distribution of obscene material and found that explicit content involving younger victims is becoming increasingly available and graphic on the Internet. Online child pornography communities frequently trade content for free; offenders often consider their participation a “victimless crime.”

The Underground Sex Economy Is Perceived as Low Risk

Pimps, traffickers, and child pornography offenders said that their crimes were low risk despite some fears of prosecution. Those who got caught for child pornography generally had low technological know-how, and multiple pimp offenders expressed that “no one actually gets locked up for pimping,” despite their own incarcerations.

What can be done to reduce or control the incidence of prostitution?

- Cross-train drug, sex, and weapons trade investigators to better understand circuits and overlaps
- Continue using federal and local partnerships to disrupt travel circuits and identify pimps
- Offer law enforcement trainings for both victim and offender interview techniques, including identifying signs of psychological manipulation
- Increase awareness among school officials and the general public about the realities of sex trafficking to deter victimization and entry into the trade
- Consistently enforce the laws for offenders to diminish low-risk perception
- Impose more fines for ad host websites

Critical Thinking

Rather than control or eliminate prostitution, might we be better off to legalize and regulate it? After all, it’s the world’s oldest profession and it seems unlikely that it can be eliminated. What are the drawbacks to legalization?

Source: Meredith Dank, Bilal Khan, R Mitchell Downey, Cybele Kotonias, Debbie Mayer, Colleen Owens, Laura Pacifici, and Lilly Yu, *Estimating the Size and Structure of the Underground Commercial Sex Economy in Eight Major US Cities* (Washington, DC: Urban Institute, 2014), www.urban.org/publications/413047.html (accessed 2015).

Of course, arrest trends must be interpreted with some caution. While it is possible that fewer people are seeking the services of prostitutes, the downward trend may also be explained by the fact that police are reluctant to make arrests in prostitution cases, or that more sophisticated prostitutes who use the Internet

Policies and Issues in Criminology

THE INTERNATIONAL SEX TRADE

In the popular 2008 film *Taken*, Bryan Mills, a former CIA agent played by Liam Neeson, must save his daughter Kim, who has been abducted while on a trip to Paris. Almost as soon as she arrives, Kim and a friend are kidnapped. As Bryan searches frantically for his beloved daughter, he uncovers an international scheme in which young women are taken, abused, forcibly addicted to drugs, and used as sex slaves. Luckily for Kim, Brian, who has a special set of skills, kills about 35 people and rescues her from her abductors. The film was so popular that a sequel, *Taken 2*, was released in 2012 and *Taken 3* in 2014. Can these dreadful scenarios be based on reality?

Unfortunately, they may be all too real. Every year, hundreds of thousands of women and children—primarily from Southeast Asia and Eastern Europe—are lured by the promise of good jobs and then end up in the sex trade in industrialized countries. The data are notoriously unreliable, but estimates of the number of people trafficked internationally each year range between 600,000 and one million men, women, and children from 124 different countries around the world, including the United States. Most victims are foreigners in the country where they have been abused and victimized, though most are from the region, often from neighboring countries (e.g., Eastern European women trafficked to Western Europe). Domestic trafficking is also widely practiced, and for one in three trafficking cases, the exploitation takes place in the victim's country of citizenship.

The majority of these victims are runaway or thrown-away youths who live on the streets and become victims of prostitution. These children generally come from

homes where they have been abused or from families who have abandoned them. Often, they become involved in prostitution to support themselves financially or to get the things they feel they need or want (like drugs).

According to a report prepared by the United Nations, the most common form of human trafficking is sexual exploitation, and the victims are predominantly women and girls; about one-third of these victims are children. Others are taken for forced labor, to be used as combat troops, or forced to beg on the streets.

Even though films such as *Taken* depict human traffickers as almost entirely men, many sex traffickers are women. On average, some 10 to 15 percent of convicted offenders are women. For trafficking in persons, however, even though males still make up the vast majority, the share of women offenders is nearly 30 percent. Many were in the sex trade themselves and were encouraged by their recruiter/trafficker to return home and recruit other women, often under the scrutiny of people working for the trafficker to make sure they don't try to escape.

Because it is a global enterprise, there is a great deal of cooperation in human trafficking. A single gang in Eastern Europe may include Russians, Moldavians, Egyptians, and Syrians. Cooperation makes it possible to traffic sex slaves not only to neighboring countries but all around the globe. Victims from East Asia were detected in more than 20 countries in regions throughout the world, including Europe, the Americas, the Middle East, Central Asia, and Africa.

Contributing Factors

Human trafficking is facilitated by social problems and disorder, such as disruptions in the global economy, war, and social unrest. Economic crisis hits young girls especially hard. Female victims are often poor and aspire to

or other forms of technology to “make dates” are better able to avoid detection by police. In fact e-hooking, in which prostitutes use the Internet to shield their identities and contact clients, may be responsible for a resurgence in sex for hire, especially in times of economic turmoil.⁴³ So despite this two-decade decline in the arrest rate, a recent survey by the Urban Institute shows that prostitution still flourishes in major cities; these findings are set out in the Policies and Issues in Criminology box.

PROSTITUTION ABROAD Prostitution flourishes abroad. In some nations it is legal and regulated by the government, whereas other nations punish prostitution with the death penalty. Germany, where the sex trade has been legalized, has at least 400,000 prostitutes—more than any other European nation per capita—serving 1.2 million men every day and bringing in more than \$15 billion per year.⁴⁴ In contrast, many

a better life. They may be forced, coerced, deceived, and psychologically manipulated into industrial or agricultural work, marriage, domestic servitude, organ donation, or sexual exploitation. Some traffickers exploit victims' frustration with low salaries in their home countries, and others take advantage of a crisis in the victim's family that requires her to make money. The traffickers then promise the victim to take her abroad and find her a traditionally female service-sector job, such as waitress, salesperson, domestic worker, or au pair/babysitter.

Whereas victims often come from poorer countries, the market for labor and sex is found in wealthier countries or in countries that, though economically poor, cater to the needs of citizens from wealthy countries, of corporations, or of tourists.

Combating Human Trafficking

Recently, the United States made stopping the trafficking of women a top priority. In 2000, Congress passed the Trafficking Victims Protection Act (TVPA), which created the first comprehensive federal law to address trafficking, with a significant focus on the international dimension of the problem. The law provides a three-pronged approach: *prevention* through public awareness programs overseas and a State Department–led monitoring and sanctions program; *protection* through a new visa and services for foreign national victims; and *prosecution* through new federal crimes and severe penalties.

As a result of the passing of the TVPA, the Office to Monitor and Combat Trafficking in Persons was established in October 2001. This enabling legislation led to the creation of a bureau within the State Department to specifically address human trafficking and exploitation on all levels and to take legal action against perpetrators. Along with the FBI, the U.S. Immigration and

Customs Enforcement (ICE) is one of the lead federal agencies charged with enforcing the TVPA. Human trafficking represents significant risks to homeland security. Would-be terrorists and criminals often can access the same routes and use the same methods as human traffickers. ICE's Human Smuggling and Trafficking Unit works to identify criminals and organizations involved in these illicit activities.

A number of local law enforcement agencies have also created special branches to combat trafficking. The Massachusetts Human Trafficking Task Force uses a two-pronged approach, addressing investigations focusing on international victims and those focusing on the commercial sexual exploitation of children. The New Jersey Human Trafficking Task Force attacks the problem by training law enforcement in the methods of identifying victims and signs of trafficking, coordinating statewide efforts in the identification and provision of services to victims of human trafficking, and increasing the successful interdiction and prosecution of trafficking of human persons.

Critical Thinking

1. If put in charge, what would you do to slow or end the international sex trade?
2. Should men who hire prostitutes be punished very severely in order to deter them from getting involved in the exploitation of these vulnerable young women?

Sources: Amanda Walker-Rodriguez and Rodney Hill, "Human Sex Trafficking," *FBI Law Enforcement Bulletin*, 2011, leb.fbi.gov/2011/march/leb-march-2011; United Nations Office on Drugs and Crime, "Global Reports on Trafficking in Persons, 2014," www.unodc.org/documents/data-and-analysis/glotip/GLOTIP_2014_full_report.pdf (URLs accessed 2015).

Islamic countries punish prostitution with death, a punishment that is sometimes carried out by stoning in the public square.

There is also a troubling overseas trade in prostitution in which men from wealthy countries frequent marginally regulated sex areas in needy nations such as Thailand in order to procure young girls forced or sold into prostitution—a phenomenon known as *sex tourism*. In addition to sex tours, there has also been a soaring demand for pornography, strip clubs, lap dancing, escorts, and telephone sex in developing countries.⁴⁵ The outcry against human trafficking has resulted in laws and law enforcement efforts designed to stop it in its tracks. But these efforts have resulted in an ironic situation: if a 16-year-old girl is trafficked to the United States, she is considered a victim; if a 16-year-old girl who was born in the United States gets involved in the sex trade, she will be arrested for prostitution and considered a criminal.⁴⁶ The international trade in prostitution is the subject of the accompanying Policies and Issues in Criminology feature.



Prostitution can take many forms and occur in a variety of venues. Here, Alexis Wright, 30, leaves the Cumberland County Courthouse in Maine. In 2013, Wright, a Zumba fitness instructor, pleaded guilty to prostitution and tax and welfare violations; she served six months in jail and must pay back more than \$57,000 in fines and restitution. The case rocked the community when authorities revealed that 68 local people were her clients, the majority of whom pleaded guilty or no contest.

Types of Prostitutes

Several different types of prostitutes operate in the United States.

STREETWALKERS Prostitutes who work the streets in plain sight of police, citizens, and customers are referred to as hustlers, hookers, or streetwalkers. Although glamorized by the Julia Roberts character in the film *Pretty Woman* (who winds up with multimillionaire Richard Gere), streetwalkers are considered the least attractive, lowest paid, most vulnerable men and women in the profession. Streetwalkers wear bright clothing, makeup, and jewelry to attract customers; they take their customers to hotels. The term “hooker,” however, is derived not from streetwalkers using their charms to “hook” clients, but from the popular name given women who followed Union General “Fighting Joe” Hooker’s army and serviced the troops during the Civil War.⁴⁷

Research shows that there are a variety of working styles among women involved in street-based prostitution. Some are controlled by pimps who demand and receive a major share of their earnings. Others are independent entrepreneurs interested in building a stable group of steady clients. Still others manipulate and exploit their customers and may engage in theft and blackmail.⁴⁸

BAR GIRLS B-girls, as they are also called, spend their time in bars, drinking and waiting to be picked up by customers. Although alcoholism may be a problem, B-girls usually work out an arrangement with the bartender whereby they are served diluted drinks or water colored with dye or tea, for which the customer is charged an exorbitant price. In some bars, the B-girl is given a credit for each drink she gets the customer to buy. It is common to find B-girls in towns with military bases and large transient populations.⁴⁹

BROTHEL PROSTITUTES Also called bordellos, cathouses, sporting houses, and houses of ill repute, brothels flourished in the nineteenth and early twentieth centuries. They were large establishments, usually run by madams, that housed several prostitutes. A madam is a woman who employs prostitutes, supervises their behavior, and receives a fee for her services; her cut is usually 40 to 60 percent of the prostitutes’ earnings. The madam’s role may include recruiting women into prostitution and socializing them in the trade.⁵⁰

Brothels declined in importance following World War II. The closing of the last brothel in Texas is chronicled in the play and film *The Best Little Whorehouse in Texas*. Today the best-known brothels are in Nevada, where prostitution is legal outside large population centers.

CALL GIRLS The aristocrats of prostitution are call girls. They charge customers thousands of dollars per night and may net more than \$200,000 per year. Some gain clients through employment in escort services; others develop independent customer lists. Many call girls come from middle-class backgrounds and serve upper-class customers. Attempting to dispel the notion that their service is simply sex for money, they concentrate on making their clients feel important and attractive. Working exclusively via telephone “dates,” call girls get their clients by word of mouth or by making arrangements with bellhops, cab drivers, and so on. They either entertain clients in their own apartments or visit clients’ hotels and apartments. When she retires, a call girl can sell her date book, listing client names and sexual preferences, for thousands of dollars. Despite the lucrative nature of their business, call girls run considerable risk by being alone and unprotected with strangers. They often request the business cards of their clients to make sure they are dealing with “upstanding citizens.”

ESCORT SERVICES/CALL HOUSES Some escort services are fronts for prostitution rings. Both male and female sex workers can be sent out after the client calls a number published in an ad in the yellow pages. How common are adult escort services? In 2015, Las Vegas had 112 yellow page listings for escort services; New York City had 179.

A relatively new phenomenon, the call house combines elements of the brothel and of call girl rings. A madam receives a call from a prospective customer, and if she finds the client acceptable, she arranges a meeting between the caller and a prostitute in her service. The madam maintains a list of prostitutes, who are on call rather than living together in a house. The call house insulates the madam from arrest because she never meets the client or receives direct payment.⁵¹

CIRCUIT TRAVELERS Prostitutes known as circuit travelers move around in groups of two or three to lumber, labor, and agricultural camps. They ask the foreman for permission to ply their trade, service the whole crew in an evening, and then move on. Some circuit travelers seek clients at truck stops and rest areas.

Sometimes young girls are forced to become circuit travelers by unscrupulous pimps who make them work for months as prostitutes in agricultural migrant camps. The young women are lured from developing countries such as Mexico with offers of jobs in landscaping, health care, housecleaning, and restaurants. But when they arrive in the United States, they are told that they owe their captors thousands of dollars and must work as prostitutes to pay off this debt. The young women are raped and beaten if they complain or try to escape.⁵²

CYBERPROSTITUTES The technological revolution has altered the world of prostitution. So-called cyberprostitutes set up personal websites or put listings on web boards, such as Adult FriendFinder or Craigslist, that carry personals. They may use loaded phrases such as “looking for generous older man” in their self-descriptions. When contacted, they ask to exchange emails, chat online, or make voice calls with prospective clients. They may even exchange pictures. This enables them to select clients they want to be with and to avoid clients who may be threatening or dangerous. Some cyberprostitution rings offer customers the opportunity to choose women from their Internet page and then have them flown in from around the country.

Becoming a Prostitute

At 38, Lt. Cmdr. Rebecca Dickinson had risen from the enlisted ranks in the Navy to its officer corps. She had an assignment to the Naval Academy in Annapolis, Maryland, where she helped teach a leadership course. But faced with money and marital problems, Dickinson also worked as a prostitute for some of the richest and most powerful men in Washington, D.C. This desperate naval officer, whose career was destroyed in the scandal, was paid \$130 for a 90-minute session.⁵³

Why does someone turn to prostitution? Both male and female prostitutes often come from troubled homes marked by extreme conflict and hostility and from poor urban areas or rural communities. Divorce, separation, or death splits the family; most prostitutes grew up in homes without fathers.⁵⁴ Girls from the lower socioeconomic classes who get into “the life” report conflict with school authorities, poor grades, and an overly regimented school experience.⁵⁵ Young women involved in prostitution also have extensive histories of substance abuse, health problems, post-traumatic stress disorder (PTSD), social stigmatization, and isolation. Often having little family support, they turn to equally troubled peers for survival: self-medicating with drugs and alcohol and self-mutilation are the norm.⁵⁶ One survey of street-level sex workers in Phoenix, Arizona, found that women engaging in prostitution had limited educational backgrounds; most did not complete high school.⁵⁷

Sexual abuse also plays a role in prostitution. Many prostitutes were initiated into sex by family members at ages as young as 10 to 12 years; they have long histories of sexual exploitation and abuse.⁵⁸ These early experiences with sex help teach them that their bodies have value and that sexual encounters can be used to obtain affection, power, or money.

Age may affect why girls become prostitutes. When Jennifer Cobbina and Sharon Oselin conducted 40 in-depth interviews with female street prostitutes they discovered that younger sex workers were more likely to come from homes that were

physically and sexually abusive as an attempt to regain control of their lives. Another common theme among adolescent girls in the life is that prostitution is “normal” in the neighborhoods and environments in which they were raised. In contrast, older women are more likely to claim that supporting a drug habit and needing cash for survival were the reasons they became sex workers. Younger women tended to remain sex workers for longer periods and therefore faced the greater risk of violence, drug abuse, and other life-threatening events.⁵⁹

DANGERS OF SEX WORK Once they get into the life, personal danger begins to escalate. Girls who may be directed toward prostitution because of childhood sexual abuse also are likely to be revictimized as adults.⁶⁰ When sociologist Jolanda Sallmann interviewed women in the Midwest with histories of prostitution, she discovered that they were hurt when people labeled and depersonalized them as “whores” or “hookers.”⁶¹ Despite their sensitivity, their lives were chaotic. The majority had suffered physical and/or sexual violence. One woman showed Sallman the scar across her neck where her pimp literally slit her throat years earlier. Another woman told how she was kidnapped and raped by a client at knifepoint while she was still a juvenile. Despite being told that she “was gonna die,” she survived the incident. Considering these problems, why do women remain on the street? Even when street prostitutes try to go straight, they often return to prostitution because their limited education and lack of skills make finding employment very difficult. Without a means to support themselves and their children, they may think staying on the streets is less risky than leaving prostitution. Most self-identified as struggling with a substance use problem throughout most or all of their involvement in prostitution, typically involving crack cocaine, cocaine, and/or heroin.

Controlling Prostitution

In the late nineteenth and early twentieth centuries, efforts were made to regulate prostitution in the United States through medical supervision and the licensing and zoning of brothels in districts outside residential neighborhoods.⁶² After World War I, prostitution became associated with disease, and the desire to protect young servicemen from harm helped put an end to nearly all experiments with legalization in the United States.⁶³ Some reformers attempted to paint pimps and procurers as immigrants who used their foreign ways to snare unsuspecting American girls into prostitution. Such fears prompted passage of the federal Mann Act (1925), which prohibited bringing women into the country or transporting them across state lines for the purposes of prostitution. Often called the “white slave act,” it carried penalties of a \$5,000 fine, five years in prison, or both.⁶⁴

Today, prostitution is considered a misdemeanor and is punishable by a fine or a short jail sentence. In practice, most law enforcement is uneven and aims at confining illegal activities to particular areas in the city.⁶⁵ Prostitution is illegal in all states except Nevada, where licensed and highly regulated brothels can operate as business enterprises in rural counties (population under 400,000; this leaves out the counties in which Las Vegas and Reno are located).

Legalize Prostitution?

Should prostitution be legalized? Even though other countries such as England, France, Brazil, Mexico, and Germany have legalized and regulated prostitution, in most areas of the United States it remains a crime, most likely because it is considered a public safety and health concern.⁶⁶ Not surprisingly, there are strong feelings on both sides of this issue. One position is that women must become emancipated from male oppression and achieve sexual equality. The *sexual equality* view considers the prostitute a victim of male dominance. In patriarchal societies, male power is predicated on female subjugation, and prostitution is a clear example of this gender exploitation.⁶⁷ A similar view is that the fight for equality depends on controlling all attempts by men to impose their will on women. The *free choice* view is that

L05 State the arguments for and against legalizing prostitution.

prostitution, if freely chosen, expresses women's equality and is not a symptom of subjugation.⁶⁸ Advocates of both positions argue that the penalties for prostitution should be reduced (in other words, the activity should be decriminalized). Decriminalization would relieve already desperate women of the additional burden of severe legal punishment.

In her book *Brothel*, Alexa Albert makes a compelling case for legalization. A Harvard-trained physician who interviewed young women working at a legal brothel in Nevada, Albert found that the women remained HIV-free and felt safer working in a secure environment than alone on city streets. Despite long hours and rules that gave too much profit to the owners, the women actually took pride in their work. Besides benefiting from greater security, most were earning between \$300 and \$1,500 per day.⁶⁹ While persuasive, Albert's vision is countered by research conducted by psychologist Melissa Farley, who surveyed brothel girls in Nevada and found that many suffered abuse and long-lasting psychological damage. Farley found that numerous brothel prostitutes are coerced into prostitution and that brothel owners are not much different from pimps who control them with an iron fist. Subject to sexual harassment, sexual exploitation, and rape, many fear for their lives. Moreover, legal prostitution does not protect women from the violence, verbal abuse, physical injury, and exposure to diseases such as HIV that occur in illegal prostitution.⁷⁰

Similarly, Roger Matthews studied prostitution for more than two decades and found that sex workers were extremely desperate, damaged, and disorganized. Many are involved in substance abuse and experience beatings, rape, and other forms of violence on a regular basis. Prostitution is, he concludes, the world's most dangerous occupation. His solution is to treat the women forced into prostitution as victims and the men who purchase their services as the criminals. He applauds Sweden's decision to make buying sexual services a crime, thus criminalizing the "johns" rather than the women in prostitution. When governments legalize prostitution, it leads to a massive expansion of the trade, both legal and illegal.⁷¹

As might be expected, this is not the final word on the matter. Some experts argue that while prostitution is an inherently dangerous profession, many other professions, such as all forms of law enforcement and security, are equally dangerous but legal. The danger of prostitution is outweighed by the need for women—the most poverty-stricken class in this country—to gain a source of income that can increase their chance for independence.⁷²

Pornography

The term **pornography** derives from the Greek *porne*, meaning "prostitute," and *graphein*, meaning "to write." In the heart of many major cities there are still adult stores that display and sell books, magazines, and films explicitly depicting every imaginable sex act; Miami, Florida, alone has ten adult stores. The Internet is now the main source of adult material. The purpose of this material is to provide sexual titillation and excitement for paying customers. Although material depicting nudity and sex is typically legal, protected by the First Amendment's provision limiting government control of speech, most criminal codes prohibit the production, display, and sale of obscene material.

Obscenity, derived from the Latin *caenum*, for "filth," is defined by Webster's dictionary as "deeply offensive to morality or decency, designed to incite to lust or depravity."⁷³ The problem of controlling pornography centers on this definition of obscenity. Police and law enforcement officials can legally seize only material that is judged obscene. "But who," critics ask, "is to judge what is obscene?" At one time, such novels as *Tropic of Cancer* by Henry Miller, *Ulysses* by James Joyce, and *Lady Chatterley's Lover* by D. H. Lawrence were prohibited because they were considered obscene; today they are considered works of great literary value. Thus, what is obscene today may be considered socially acceptable at a future time. After all, *Playboy* and other "men's magazines," which are sold openly in most bookstores, display

pornography

Sexually explicit books, magazines, films, and DVDs intended to provide sexual titillation and excitement for paying customers.

obscenity

Material that violates community standards of morality or decency and has no redeeming social value.



Here's a display at the Erotic Expo at the Penn Plaza Pavilion in New York City. The adult porn industry is a multibillion-dollar business reaching hundreds of millions of consumers annually. Worldwide pornography revenue is larger than the revenues of all professional football, baseball, and basketball franchises combined. In the United States, pornography revenue exceeds the combined revenues of ABC, CBS, and NBC.

nude models in all kinds of sexually explicit poses. The uncertainty surrounding this issue is illustrated by Supreme Court Justice Potter Stewart's famous 1964 statement on how he defined obscenity: "I know it when I see it." Because of this legal and moral ambiguity, violation of obscenity laws involving adults is rarely prosecuted in the United States.

Is Pornography Harmful?

Opponents of pornography argue that it degrades both the people who are photographed and members of the public who are sometimes forced to see obscene material. Pornographers exploit their models, who often include underage children. Investigations have found that many performers and models are victims of physical and psychological coercion.⁷⁴

One uncontested danger of pornography is "kiddie porn." Each year more than a million children are believed to be used in pornography or prostitution, many of them runaways whose plight is exploited by adults. Sexual exploitation by these rings can devastate the child victims. Exploited children are prone to such acting-out behavior as setting fires and becoming sexually focused in the use of language, dress, and mannerisms. They also may

suffer physical problems ranging from headaches and loss of appetite to genital soreness, vomiting, and urinary tract infections, and psychological problems, including mood swings, withdrawal, edginess, and nervousness.⁷⁵

Does Viewing Pornography Cause Violence?

An issue critical to the debate over pornography is whether viewing it produces sexual violence or assaultive behavior. This debate reignited when serial killer Ted Bundy claimed his murderous rampage was fueled by reading pornography.

The scientific evidence linking sexually explicit material to violence is mixed.⁷⁶ Some research has found that viewing erotic material may act as a safety valve for those whose impulses might otherwise lead them to violence; in a sense, pornography reduces violence.⁷⁷ Viewing obscene material may have the unintended side effect of satisfying erotic impulses that otherwise might result in more sexually aggressive behavior. Thus, it is not surprising to some skeptics that convicted rapists and sex offenders report less exposure to pornography than control groups of nonoffenders.⁷⁸ The lack of a clear-cut connection between viewing pornography and violence is used to bolster the argument that all printed matter, no matter how sexually explicit, is protected by the First Amendment.

However, some research does find a link between consuming pornography and subsequent violent or controlling behavior.⁷⁹ Sex researcher Michael Flood reviewed the existing literature and concludes that exposure to pornography by young people leads to sexist and unhealthy notions of sex and relationships, as well as intensification of attitudes supportive of sexual coercion while increasing their likelihood of perpetrating assault.⁸⁰

The evidence suggests that violence and sexual aggression are not linked to erotic or pornographic films per se but that erotic films depicting violence, rape, brutality, and aggression may evoke similar feelings in viewers. A leading critic of pornography, Diana Russell, contends that hatred of women is a principal theme in pornography and is often coupled with racism. Her research provides strong evidence linking pornography to misogyny (the hatred of women), an emotional response that often leads to rape.⁸¹

Pornography and the Law

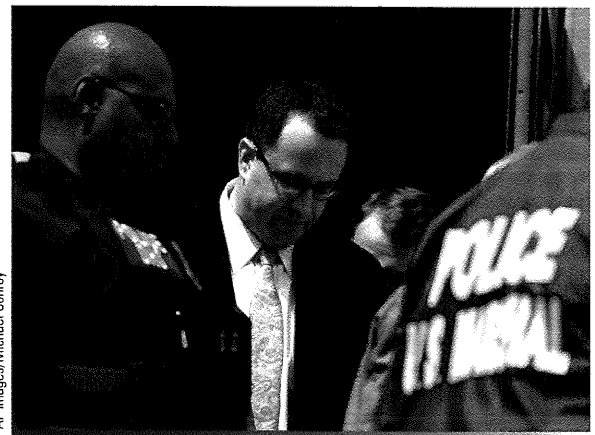
The First Amendment to the U.S. Constitution protects free speech and prohibits police agencies from limiting the public's right of free expression. However, the Supreme Court held, in the twin cases of *Roth v. United States* and *Alberts v. California*, that although the First Amendment protects all "ideas with even the slightest redeeming social importance—unorthodox ideas, controversial ideas, even ideas hateful to the prevailing climate of opinion, implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance."⁸² These decisions left unclear how obscenity is defined. If a highly erotic movie tells a "moral tale," must it be judged legal even if 95 percent of its content is objectionable? A spate of movies made after the *Roth* decision claimed that they were educational or warned the viewer about sexual depravity, so they could not be said to lack redeeming social importance. Many state obscenity cases were appealed to federal courts so that judges could decide whether the films totally lacked redeeming social importance. To rectify the situation, the Supreme Court redefined its concept of obscenity in the case of *Miller v. California*:

The basic guidelines for the trier of fact must be (a) whether the average person applying contemporary community standards would find that the work taken as a whole appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.⁸³

To convict a person of obscenity under the *Miller* doctrine, the state or local jurisdiction must specifically define obscene conduct in its statute, and the pornographer must engage in that behavior. The Court gave some examples of what is considered obscene: "patently offensive representations or descriptions of masturbation, excretory functions and lewd exhibition of the genitals."⁸⁴ Obviously, a plebiscite cannot be held to determine the community's attitude for every trial concerning the sale of pornography. Works that are considered obscene in Omaha might be considered routine in New York, but how can we be sure? To resolve this dilemma, the Supreme Court in *Pope v. Illinois* articulated a reasonableness doctrine: a work is obscene if a reasonable person applying objective (national) standards would find the material to lack any social value.⁸⁵

These rulings are so elastic that cases involving adults are rarely if ever prosecuted and then under the most extreme circumstances—for example, sex with animals. During the first four years of the Obama administration federal authorities brought obscenity charges in only two cases.⁸⁶

THE LAW AND KIDDIE PORN While obscenity involving adults is rarely prosecuted, the creation and distribution of obscene material involving children is the focus of vigilant legal action. After a number of initiatives failed to meet First Amendment standards because courts ruled that they violated free speech, being over-broad or vague, Congress passed the PROTECT Act of 2003 (Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today), which provides prison sentences for anyone creating and selling sexual images involving children.⁸⁷ One part of the PROTECT Act prohibits computer-generated child pornography "when such visual depiction is a computer image or computer-generated image that is, or appears virtually indistinguishable from that of a minor engaging in sexually explicit conduct." In *United States v. Williams*, the Supreme Court ruled that statutes prohibiting the "pandering" of child pornography (offering or requesting to transfer, sell,



AP Images/Michael Conroy

While few people are prosecuted for possessing pornography involving adults, buying or selling kiddie porn is frequently prosecuted. In a case that made national headlines in 2015, former Subway sandwich pitchman Jared Fogle agreed to plead guilty to allegations that he paid for sex acts with minors and received child pornography. The admission destroyed his career at the sandwich-shop chain and could send him to prison for more than a decade.

CHECKPOINTS

Paraphillias are deviant sexual acts such as exhibitionism and voyeurism. Many are considered crimes.

Prostitution has been common throughout recorded history. There are many kinds of prostitutes, including streetwalkers, bar girls, call girls, brothel prostitutes, and circuit travelers.

It is feared that some girls are forced or tricked into prostitution against their will.

A multibillion-dollar international sex trade involves tricking young girls from Eastern Europe and Asia into becoming prostitutes.

Pornography is a billion-dollar industry that is growing through technological advances such as the Internet.

There is ongoing debate over whether obscene materials involving adults are harmful and related to violence.

The Supreme Court has ruled that material is obscene if it has prurient sexual content and is devoid of social value. All sexual material involving children is illegal.

The First Amendment's guarantee of the right to free speech makes it difficult to control obscene material.

There is little enforcement of obscenity laws in cases involving adults; almost all enforcement involves child pornography.

L06 Discuss the causes of substance abuse.

deliver, or trade the items) did not violate the First Amendment even if a person charged under the code did not in fact possess child pornography.⁸⁸ So it is a crime if someone offers to sell kiddie porn to another person even if they don't actually have any kiddie porn to sell or if they have virtual images they are claiming to be the real thing, as long as the purchaser *believes* they are buying kiddie porn using real children. The crime is the offer to sell and the agreement to buy, not the actual possession of the contraband.

Despite these legal changes, which make enforcement somewhat easier, the biggest challenge to those seeking to control the sale of obscene material involving children has been the shift to Internet sales. Today, the major initiative against Internet kiddie porn is the Innocent Images National Initiative (IINI) developed by the FBI, which coordinates multi-agency investigative operations worldwide. The focus is on the following:

- Online organizations, enterprises, and communities that exploit children for profit or personal gain
- Major distributors of child pornography, such as those who appear to have transmitted a large volume of child pornography via an online computer on several occasions to several other people
- Producers of child pornography
- Individuals who travel, or indicate a willingness to travel, for the purpose of engaging in sexual activity with a minor
- Possessors of child pornography

FBI and other law enforcement agents go online utilizing fictitious screen names and engaging in real-time chat or email conversations with subjects in order to obtain evidence of criminal activity involving exploitation of children.⁸⁹

Substance Abuse

3

On February 2, 2014, the Academy Award-winning actor Philip Seymour Hoffman was found dead in his Manhattan apartment of what the medical examiner's office ruled was an accidental "acute mixed drug intoxication," including heroin, cocaine, benzodiazepines, and amphetamine. His death followed that of other stars, including Heath Ledger, the great young actor (*The Patriot*, *Brokeback Mountain*, *The Dark Knight*) who at the age of 28 succumbed to an overdose of diazepam (Valium), temazepam (Restoril), alprazolam (Xanax), oxycodone (OxyContin), hydrocodone (Vicodin), and doxylamine (Unisom). In 2011, British singer Amy Winehouse was found dead in her home; her blood alcohol content at the time of her death was more than five times the legal drink-drive limit.⁹⁰

The problem of substance abuse stretches all across the United States. Large urban areas are beset by drug-dealing gangs, drug users who engage in crime to support their habits, and alcohol-related violence. Rural areas are important staging centers for the shipment of drugs across the country and are often the production sites for synthetic drugs and marijuana farming.⁹¹

Another indication of why there is such concern about drugs has been the number of drug-related visits to hospital emergency rooms. According to the latest national data, between 2004 and 2011, the number of emergency room visits for drug abuse increased by 128 percent. In 2011, there were 5.1 million drug-related emergency room visits, of which 1,252,500 involved abuse of illicit drugs such as cocaine and heroin. The majority of visits involved illegally used or abused prescription drugs such as anti-anxiety and insomnia medications or narcotic pain relievers; oxycodone-related emergency room visits increased by 220 percent in the seven-year period.⁹²

When Did Drug Use Begin?

Chemical substances have been used to change reality and provide stimulation, relief, or relaxation for thousands of years. Mesopotamian writings indicate that opium was used 4,000 years ago—it was known as the "plant of joy."⁹³ The ancient Greeks knew

and understood the problem of drug use. At the time of the Crusades, the Arabs were using marijuana. In the Western Hemisphere, natives of Mexico and South America chewed coca leaves and used “magic mushrooms” in their religious ceremonies.⁹⁴ Drug use was also accepted in Europe well into the twentieth century. Recently uncovered pharmacy records from 1900 to 1920 show sales of cocaine and heroin solutions to members of the British royal family; records from 1912 indicate that Winston Churchill, then a member of Parliament, was sold a cocaine solution while staying in Scotland.⁹⁵

In the early years of the United States, opium and its derivatives were easily obtained. Opium-based drugs were used in various patent medicine cure-alls. Morphine was used extensively to relieve the pain of wounded soldiers in the Civil War. By the turn of the century, an estimated 1 million U.S. citizens were opiate users.⁹⁶

Alcohol and Its Prohibition

The history of alcohol and the law in the United States has also been controversial and dramatic. At the turn of the twentieth century, a drive was mustered to prohibit the sale of alcohol. This **temperance movement** was fueled by the belief that the purity of the U.S. agrarian culture was being destroyed by the growth of cities. Urbanism was viewed as a threat to the lifestyle of the majority of the nation’s population, then living on farms and in villages. The forces behind the temperance movement were such lobbying groups as the Anti-Saloon League led by Carrie Nation, the Women’s Temperance Union, and the Protestant clergy of the Baptist, Methodist, and Congregationalist faiths.⁹⁷ They viewed the growing cities, filled with newly arriving Irish, Italian, and Eastern European immigrants, as centers of degradation and wickedness. Ratification of the Eighteenth Amendment in 1919, prohibiting the sale of alcoholic beverages, was viewed as a triumph of the morality of middle- and upper-class Americans over the threat posed to their culture by the “new Americans.”⁹⁸

Prohibition failed. It was enforced by the Volstead Act, which defined intoxicating beverages as those containing one-half of 1 percent or more alcohol.⁹⁹ What doomed Prohibition? One factor was the use of organized crime to supply illicit liquor. Also, the law made it illegal only to sell alcohol, not to purchase it, which reduced the deterrent effect. Finally, despite the work of Elliot Ness and his “Untouchables,” law enforcement agencies were inadequate, and officials were likely to be corrupted by wealthy bootleggers.¹⁰⁰ In 1933, the Twenty-First Amendment to the Constitution repealed Prohibition, signaling the end of the “noble experiment.”

Extent of Substance Abuse

Despite continuing efforts at control, the use of mood-altering substances persists in the United States. What is the extent of the substance abuse problem today?

A number of national surveys attempt to chart trends in drug abuse in the general population. One important source of information on drug use is the annual Monitoring the Future (MTF) self-report survey of drug abuse among high school students conducted by the Institute for Social Research (ISR) at the University of Michigan. This annual survey is based on the self-report responses of approximately 50,000 8th-, 10th-, and 12th-graders and is considered the most important source of data on adolescent drug abuse. MTF survey data indicate that drug use declined from a high point late in the 1970s until 1990, when it once again began to increase, finally stabilizing around 1996 and since then there has been a decline in both lifetime and current usage. In 2014, alcohol use by the nation’s teens continued its long-term decline and students in all three grades showed a decline in the proportion reporting any alcohol use in the prior 12 months; the three grades combined dropped to 41 percent, down from more than 60 percent in 1997. Of perhaps greater importance, the proportion of teens who report **binge drinking**—consuming five or more drinks in a row at least once in the prior two weeks—fell to 12 percent, down from a high point of 22 percent in 1997. Still, one in five (19 percent) 12th graders report binge drinking at least once in the prior two weeks.

temperance movement

The drive to prohibit the sale of alcohol in the United States, culminating in ratification of the Eighteenth Amendment in 1919.

Prohibition

The period from 1919 until 1933 when the Eighteenth Amendment to the U.S. Constitution outlawed the sale of alcohol; also known as the “noble experiment.”

binge drinking

Having five or more drinks on the same occasion (that is, at the same time or within a couple of hours of each other).

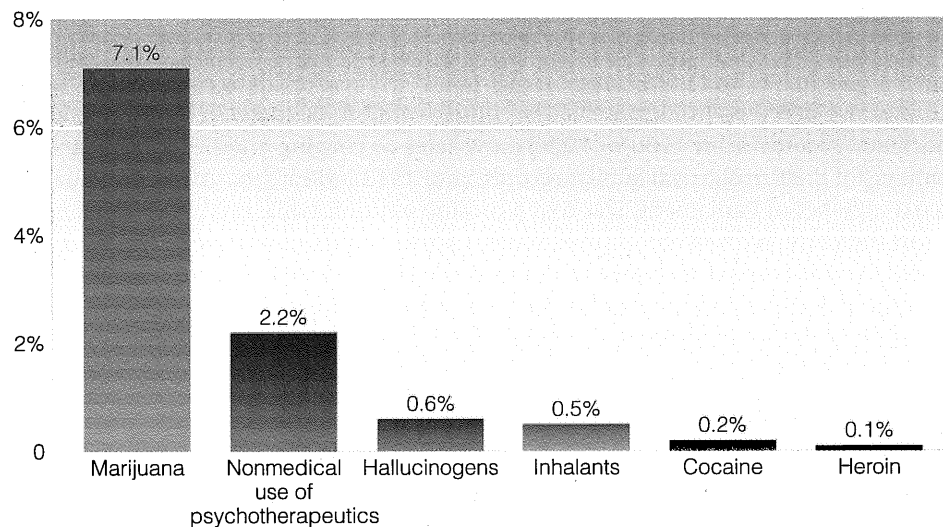
FACT OR FICTION?

Fewer kids are drinking today than 20 years ago.

FACT Alcohol consumption among youths is diminishing and is actually at a 20-year low.

FIGURE 13.1
Past-Month Illicit Drug
Use Among Adolescents
Aged 12–17

Source: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, "Results from the 2013 National Survey on Drug Use and Health," www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf (accessed 2015).



Drug use among teens has also declined significantly, and marijuana—which remains the most popular drug by far—declined in use in 2014 after rising for the past few years. Nonetheless, about 6 percent of all high school students claim to use marijuana every day and about 6 percent of 8th graders, 11 percent of 10th graders, and 16 percent of 12th graders used some other drug such as ecstasy, LSD, or cocaine in the prior 12 months.¹⁰¹

The National Household Survey on Drug Abuse and Health, sponsored by the federal government, also indicates the extent of drug use. The most recent data show similar patterns to the MTF. In the United States, the percentage of adolescents aged 12 to 17 who have used marijuana in the month prior to being surveyed increased from 2008 to 2011, then decreased in 2012 and 2013. As Figure 13.1 shows, about 9 percent (an estimated 2.2 million adolescents) reported using illicit drugs within the month prior to being surveyed.¹⁰²

Costs of Substance Abuse

Considering how many people indulge in illicit drug and alcohol abuse, it should not be surprising that the costs of this abuse are quite significant. The National Institute on Drug Abuse estimates that health and other costs directly related to substance abuse exceed \$700 billion per year (see Table 13.1).¹⁰³

In addition to these costs, enforcement efforts add additional billions. Recent research compiled by the Cato Institute, a Washington, D.C., think tank, estimates that legalizing drugs would save roughly \$41 billion per year in government enforcement expenditure. State and local governments could save about \$25 billion per year; while roughly \$16 billion would accrue to the federal government.¹⁰⁴

TABLE 13.1 Costs of Drug and Alcohol Abuse

	Health Care	Overall
Tobacco	\$130 billion	\$295 billion
Alcohol	\$25 billion	\$224 billion
Illicit Drugs	\$11 billion	\$193 billion

Source: National Institute on Drug Abuse, 2014, www.drugabuse.gov/related-topics/trends-statistics.

Causes of Substance Abuse

What causes people to abuse substances? Although there are many different views on the causes of drug use, most can be characterized as seeing the onset of an addictive career either as an environmental matter or as a personal matter.

SUBCULTURAL VIEW Those who view drug abuse as having an environmental basis concentrate on lower-class addiction. Because a disproportionate number of drug abusers are poor, the onset of drug use can be tied to such factors as racial prejudice, devalued identities, low self-esteem, poor socioeconomic status, and the high level of mistrust, negativism, and defiance found in impoverished areas.

Residing in a deteriorated inner-city area is often correlated with entry into a drug subculture. Youths living in these depressed areas, where feelings of alienation and hopelessness run high, often meet established drug users who teach them that narcotics assuage their feelings of personal inadequacy and stress.¹⁰⁵ The youths may join peers to learn the techniques of drug use and receive social support for their habit. Research shows that peer influence is a significant predictor of drug careers that actually grows stronger as people mature.¹⁰⁶ Shared feelings and a sense of intimacy lead the youths to become fully enmeshed in the drug culture.¹⁰⁷ Some join gangs and enter into a career of using and distributing illegal substances, while also committing property and violent crimes.¹⁰⁸

PSYCHOLOGICAL VIEW Some experts have linked substance abuse to psychological deficits such as impaired cognitive functioning, personality disturbance, and emotional problems that can strike people in any economic class.¹⁰⁹ These produce what is called a **drug-dependent personality**. Some teens may resort to drug abuse to reduce the emotional turmoil of adolescence or to cope with troubling impulses.¹¹⁰

Personality testing of known users suggests that a significant percentage suffer from psychotic disorders, including various levels of schizophrenia. Surveys show that youngsters with serious behavioral problems were more than seven times as likely as those with less serious problems to report that they were dependent on alcohol or illicit drugs. Youths with serious emotional problems were nearly four times more likely to report dependence on drugs than those without such issues.¹¹¹ The Policies and Issues in Criminology feature reviews research on this topic.

What is the connection between psychological disorders and drug abuse? Drugs may help people deal with unconscious needs and impulses and relieve dependence and depression. People may turn to drug abuse as a form of self-medication to reduce the emotional turmoil of adolescence, deal with troubling impulses, or cope with traumatic life experiences such as institutional child abuse (kids who were sexually or physically abused in foster care, mental institutions, juvenile detention centers, day care centers, etc.).¹¹² Survivors of sexual assault and physical abuse in the home also have been known to turn to drug and alcohol abuse as a coping mechanism.¹¹³ Depressed people may use drugs as an alternative to more radical solutions to their pain, such as suicide.¹¹⁴ Kids with low self-esteem, or those who are self-conscious about their body image or who have a poor self-image, may turn to drugs to ease psychological turmoil.¹¹⁵ Unfortunately, while substance abuse may relieve psychological strain in the short term, this relief is later countered by feelings of depression and anxiety in the long term.¹¹⁶

GENETIC FACTORS Substance abuse may have a genetic basis. Evidence for this has been found in research showing that biological children of alcoholics reared by non-alcoholic adoptive parents develop alcohol problems more often than the biological children of the adoptive parents.¹¹⁷ In a similar vein, a number of studies comparing alcoholism among identical twins and fraternal twins have found that the degree of concordance (both siblings behaving identically) is twice as high among the identical twin groups. Nonetheless, most children of abusing parents do not become drug dependent themselves, which suggests that even if drug abuse is heritable, environment and socialization must play some role in the onset of abuse.¹¹⁸

drug-dependent personality

A personal trait characterized by a pervasive psychological dependence on mood-altering substances.

Policies and Issues in Criminology

SUBSTANCE ABUSE AND PSYCHOSIS

Most estimates suggest that people diagnosed with mood or anxiety disorders are about twice as likely as the general population to also suffer from a substance use disorder. Studies exploring the link between substance use disorders and other mental illnesses have typically not included people with severe psychotic illnesses.

In a recent study, 9,142 people diagnosed with schizophrenia, schizoaffective disorder, or bipolar disorder with psychotic features were matched with 10,195 controls according to geographic region. Mental disorder diagnoses were confirmed using the Diagnostic Interview for Psychosis and Affective Disorder (DI-PAD), and the controls were screened to verify the absence of schizophrenia or bipolar disorder in themselves or close family members. The DI-PAD was also used for all participants to determine substance use rates.

Compared to the controls, people with severe mental illness were about four times more likely to be heavy alcohol users (four or more drinks per day), 3.5 times more likely to use marijuana regularly (21 times per year), and 4.6 times more likely to use other drugs at least 10 times in their lives. The greatest increases were seen with tobacco, with patients with severe mental illness five times more likely to be daily smokers:

This is of concern because smoking is the leading cause of preventable death in the United States. The association between mental issues and substance abuse was constant when controlling for gender, age, and race.

Previous research has shown that people with schizophrenia have a shorter life expectancy than the general population, and chronic cigarette smoking has been suggested as a major contributing factor to higher morbidity and mortality from malignancy as well as cardiovascular and respiratory diseases. These new findings indicate that the rates of substance use in people with severe psychosis may be underestimated, highlighting the need to improve the understanding of the association between substance use and psychotic disorders so that both conditions can be treated effectively.

Critical Thinking

What is the connection between psychosis and substance abuse? Is it possible that people with severe mental disorders use drugs and alcohol to self-medicate and relieve their symptoms? What other reasons might there be for the connection?

Source: Sarah M. Hartz, Carlos N. Pato, Helena Medeiros, Patricia Cavazos-Rehg, Janet L. Sobell, James A. Knowles, Laura Bierut, and Michele T. Pato, "Comorbidity of Severe Psychotic Disorders with Measures of Substance Use," *JAMA Psychiatry* 71 (2014): 248-254.

SOCIAL LEARNING Social psychologists suggest that drug abuse may result from observing parental drug use. Parental drug abuse begins to have a damaging effect on children as young as 2 years old, especially when parents manifest drug-related personality problems such as depression or poor impulse control.¹¹⁹ Children whose parents abuse drugs are more likely to have persistent abuse problems than the children of nonabusers.¹²⁰

People who learn that drugs provide pleasurable sensations may be the most likely to experiment with illegal substances, and a habit may develop if the user experiences lower anxiety, fear, and tension levels.¹²¹ Having a history of family drug and alcohol abuse has been found to be a characteristic of violent teenage sexual abusers.¹²² Heroin abusers report an unhappy childhood that included harsh physical punishment and parental neglect and rejection.¹²³

According to the social learning view, drug involvement begins with using tobacco and drinking alcohol at an early age, and this progresses to experimentation with marijuana and hashish and finally to cocaine and even heroin. Although most recreational users do not progress to "hard stuff," most but not all addicts begin their involvement with narcotics by first experimenting with recreational drugs. By implication, if teen smoking and drinking could be reduced, the gateway to hard drugs would be narrowed.

For example, a 2003 research study found that a 50 percent reduction in the number of teens who smoke cigarettes can cut marijuana use by 16 to 28 percent.¹²⁴

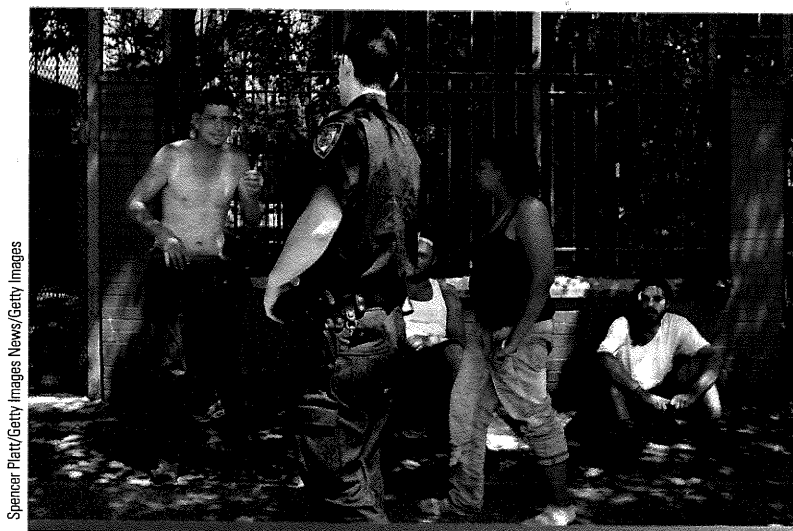
PROBLEM BEHAVIOR SYNDROME (PBS) For many people, substance abuse is just one of many problem behaviors.¹²⁵ Longitudinal studies show that drug abusers are maladjusted, alienated, and emotionally distressed and that their drug use is one among many social problems.¹²⁶ Having a deviant lifestyle begins early in life and is punctuated with criminal relationships, a family history of substance abuse, educational failure, and alienation. Kids who abuse drugs lack commitment to religious values, disdain education, spend most of their time in peer activities, engage in precocious sexual behavior, and experience school failure, family conflict, and similar social problems.¹²⁷ In adulthood, people who manifest substance abuse problems also exhibit a garden variety of other social and legal problems.¹²⁸

RATIONAL CHOICE Not all people who abuse drugs do so because of personal pathology. Some may use drugs and alcohol because they want to enjoy their effects: getting high, relaxation, improved creativity, escape from reality, and increased sexual responsiveness. Research indicates that adolescent alcohol abusers believe that getting high will make them powerful, increase their sexual performance, and facilitate their social behavior; they care little about negative future consequences.¹²⁹

IS THERE A SINGLE “CAUSE” OF DRUG ABUSE? There are many different views of why people take drugs, and no theory has proved adequate to explain all forms of substance abuse. Recent research efforts show that drug users suffer a variety of family and socialization difficulties, have addiction-prone personalities, and are generally at risk for many other social problems.¹³⁰ One long-held assumption is that addicts progress along a continuum from using so-called gateway drugs such as alcohol and marijuana to using ever more potent substances, such as cocaine and heroin; this is known as the *gateway hypothesis*.¹³¹ A great deal of research has attempted to find out whether there is truly a drug gateway, but results so far have been mixed. Some hard-core drug abusers have actually never smoked or used alcohol. And although many American youths have tried marijuana, few actually progress to crack or heroin abuse.¹³² However, other research has found evidence that marijuana users are up to five times more likely than nonusers to escalate their drug abuse and try cocaine and heroin.¹³³ In sum, although most marijuana smokers do not become hard drug users, some do, and the risk of using dangerous substances may be increased by first engaging in recreational drug use.

Drugs and Crime

One of the main reasons for the criminalization of particular substances is the significant association believed to exist between drug abuse and crime. Research suggests that many criminal offenders have extensive experience with alcohol and drug use and that abusers commit an enormous amount of crime.¹³⁴ Substance abuse appears to be an important precipitating factor in a variety of criminal acts, especially income-generating crimes such as burglary.¹³⁵



Spencer Platt/Getty Images News/Getty Images

New York City, along with other cities, is experiencing a deadly epidemic of synthetic marijuana usage, including varieties known as K2 or “spice,” which can cause extreme reactions in some users. According to New York’s health department, more than 120 K2 users visited an emergency room in the city in just one week. Although the state banned ingredients used to make K2, distributors have switched to other ingredients and product names in an attempt to circumvent the law. Here, an NYPD officer speaks with men who are high on K2, along a street in East Harlem.

A number of data sources provide powerful evidence of a drug-crime linkage. Surveys conducted with adolescent drug users show that they are more likely to self-report delinquency than abstainers. For example, the latest national survey on drug use finds that youths aged 12 to 17 who had engaged in fighting or other delinquent behaviors were more likely than other youths to have used illicit drugs in the past month. Illicit drug use was reported by 18 percent of youths who had gotten into a serious fight at school or work in the past year, compared with 8 percent of those who had not engaged in fighting at school or work. Drug use was reported by 35 percent of those who had stolen or tried to steal something worth over \$50 in the past year, compared with 8 percent of those who had not attempted or engaged in such theft.¹³⁶

Known criminals have long histories with substance abuse. National studies of substance abuse among arrestees indicate that most were drug users when they were taken into custody—anywhere from 63 percent in Atlanta to 83 percent in Chicago and Sacramento.¹³⁷ Drug use is also substantial among people convicted of crime and in the correctional system. The most common substances of abuse reported by probation or parolees were alcohol (30 percent), marijuana (26 percent), and methamphetamines (15 percent); more than half (59 percent) reported more than one substance of abuse at admission to parole or probation.¹³⁸

What causes this linkage? Drug use interferes with maturation and socialization. Drug abusers are more likely to drop out of school, to be underemployed, to engage in premarital sex, and to become unmarried parents. Even if drug use does not turn otherwise law-abiding citizens into criminals, it certainly amplifies the extent of their criminal activities. A recent analysis of the drug-crime association found distinct evidence that the relationship between drugs and crime is complex, and drug users are not a monolithic group that behaves in a uniform and predictable manner. Among the most important findings are the following:¹³⁹

- There are different types of drug users; many do not commit crimes.
- There are differences among criminally active drug users: (a) one group gets involved with crime before or at the same time as they get involved with drugs; (b) another group gets involved with crime only after they get involved with drugs. The onset of addiction is a turning point and causes them to initiate a criminal career.
- Drug use and criminal activity feed off each other as a deviant lifestyle, and peer affiliations reinforce each other.
- Drug addiction does not turn nonviolent criminals into violent criminals, but active addiction increases the frequency of criminal activity.
- Drug use and criminal behavior share some common roots in psychological propensity for impulsive and deviant behavior.
- Drug use impacts criminal behavior by creating the need to finance a drug habit.
- Criminal deviance increases the probability of later drug use.

In sum, research examining both the criminality of known narcotics users and the narcotics use of known criminals reveals a very strong association between drug use and crime. Even if the crime rate of drug users were actually only half that reported in the research literature, users would be responsible for a significant portion of the total criminal activity in the United States.

Drugs and the Law

The federal government first initiated legal action to curtail the use of some drugs early in the twentieth century.¹⁴⁰ In 1906, the Pure Food and Drug Act required manufacturers to list the amounts of habit-forming drugs on product labels but did not restrict their use. However, the act prohibited the importation and sale of opiates except for medicinal purposes. In 1914, the Harrison Narcotics Act restricted the importation, manufacture, sale, and dispensing of narcotics. It defined **narcotic** as any drug that produces sleep and relieves pain, such as heroin, morphine, and opium. The act was revised in 1922 to allow importation of opium and coca (cocaine) leaves for qualified medical

CONNECTIONS

Chapter 10 provides an analysis of the relationship between drugs and violence, which rests on three factors: (1) the psychopharmacological relationship, which is a direct consequence of ingesting mood-altering substances; (2) economic compulsive behavior, which occurs when drug users resort to violence to support their habit; and (3) a systemic link, which occurs when drug dealers battle for territories.

narcotic

A drug that produces sleep and relieves pain, such as heroin, morphine, and opium; a habit-forming drug.

practitioners. The Marijuana Tax Act of 1937 required registration and payment of a tax by all persons who imported, sold, or manufactured marijuana. Because marijuana was classified as a narcotic, those registering would also be subject to criminal penalty.

Subsequent federal laws were passed to clarify existing drug statutes and revise penalties. The Boggs Act of 1951 provided mandatory sentences for violating federal drug laws. The Durham-Humphrey Amendment of 1951 made it illegal to dispense barbiturates and amphetamines without a prescription. The Narcotic Control Act of 1956 increased penalties for drug offenders. In 1965, the Drug Abuse Control Act set up stringent guidelines for the legal use and sale of mood-modifying drugs, such as barbiturates, amphetamines, LSD, and any other “dangerous drugs,” except narcotics prescribed by doctors and pharmacists. Illegal possession was punished as a misdemeanor and manufacture or sale as a felony. And in 1970, the Comprehensive Drug Abuse Prevention and Control Act set up unified categories of illegal drugs and attached specific penalties to their sale, manufacture, or possession. The law gave the U.S. attorney general discretion to decide in which category to place any new drug.

Since then, various federal laws have attempted to increase penalties imposed on drug smugglers and to limit the manufacture and sale of newly developed substances. The 1984 Controlled Substances Act set new, stringent penalties for drug dealers and created five categories of narcotic and nonnarcotic substances subject to federal laws.¹⁴¹ The Anti-Drug Abuse Act of 1986 again set new standards for minimum and maximum sentences for drug offenders, increased penalties for most offenses, and created a new drug penalty classification for large-scale offenses (such as trafficking in more than one kilogram of heroin), for which the penalty for a first offense was 10 years to life in prison.¹⁴² With then-President George H. W. Bush’s endorsement, Congress passed the Anti-Drug Abuse Act of 1988, which created a coordinated national drug policy under a “drug czar,” set treatment and prevention priorities, and, clearly reflecting the government’s hard-line stance against drug dealing, instituted availability of the death penalty for drug-related killings.¹⁴³ For the most part, state laws mirror federal statutes. Some apply extremely heavy penalties for selling or distributing dangerous drugs, such as prison sentences of up to 25 years.

Drug Control Strategies

Substance abuse remains a major social problem in the United States. Politicians looking for a safe campaign issue can take advantage of the public’s fear of drug addiction by calling for a war on drugs. Such wars have been declared even when drug use was stable or in decline.¹⁴⁴ Can these efforts pay off? Can illegal drug use be eliminated or controlled?

A number of different drug control strategies have been tried, with varying degrees of success. Some aim to deter people from using drugs by stopping the flow of drugs into the country, apprehending and punishing dealers, and cracking down on street-level drug deals. Others focus on preventing drug use by educating potential users to the dangers of substance abuse (convincing them to “say no to drugs”) and by organizing community groups to work with the at-risk population in their area. Still another approach is to treat known users so they can control their addictions. Some of these efforts are discussed next.

SOURCE CONTROL One approach to drug control is to deter the sale and importation of drugs through the systematic apprehension



Law enforcement agents leave a clothing store after a raid in the Los Angeles fashion district. Agents raided dozens of businesses in 2014 as part of an investigation into suspected money laundering for Mexican drug cartels.

of large-volume drug dealers, coupled with the enforcement of strict drug laws that carry heavy penalties. This approach is designed to capture and punish known international drug dealers and to deter others from entering the drug trade. A major effort has been made to cut off supplies of drugs by destroying overseas crops and arresting members of drug cartels in Central and South America, Asia, and the Middle East, where many drugs are grown and manufactured. The federal government has been in the vanguard of encouraging exporting nations to step up efforts to destroy drug crops and prosecute. The United States has contributed more than a billion dollars since 2009 to provide economic incentives and increased security to farmers in drug-producing regions in the Western Hemisphere.¹⁴⁵ However, translating words into deeds is a formidable task. Drug lords are willing and able to fight back through intimidation, violence, and corruption. The Colombian drug cartels do not hesitate to use violence and assassination to protect their interests. Mexico has been awash in blood as cartels compete for power and control of the drug trade.

The amount of narcotics grown each year is so vast that even if three-quarters of the opium crop were destroyed, the U.S. market would still require only 10 percent of the remainder to sustain its drug trade. The drug trade is an important source of foreign revenue for third-world nations, and destroying the drug trade undermines their economies. More than a million people in developing nations depend on the cultivating and processing of illegal substances. Adding to the problem of source control is the fact that the United States has little influence in some key drug-producing areas. War and terrorism also make source control strategies problematic. After the United States toppled Afghanistan's Taliban government, the remnants began to grow and sell poppy to support their insurgency. A 2014 World Drug Report by the U.N. Office on Drugs and Crime found that Afghanistan now leads the world in opium production and has continued to see more land being used for poppy farming—a record 520,000 acres.¹⁴⁶ And even though some guerillas may not be interested in joining or colluding with crime cartels, they finance their war against the government by aiding drug traffickers and “taxing” crops and sales.¹⁴⁷

The federal government estimates that U.S. citizens spend more than \$40 billion annually on illegal drugs, and much of this money is funneled overseas. Even if the government of one nation were willing to cooperate in vigorous drug suppression efforts, suppliers in other nations, eager to cash in on the “seller’s market,” would be encouraged to turn more acreage over to coca or poppy production.



Erin Siegel/Redux

Border control is an established anti-drug policy, but one that is difficult to achieve. U.S. Customs and Border Patrol (CBP) agents work along the U.S.-Mexico border crossing joining Tijuana, Baja California, Mexico, to San Diego, California. Working dogs are used to track the scent of drugs and smuggled humans. Here, a woman suspected of smuggling is detained after a dog detected the scent of drugs in the vehicle she was driving. Do you believe such strategies can stem the flow of drugs or are they doomed to failure?

INTERDICTION STRATEGIES Law enforcement efforts have also been directed at intercepting drug supplies as they enter the country. Border patrols and military personnel using sophisticated hardware have been involved in massive interdiction efforts; many impressive multimillion-dollar seizures have been made. Yet the U.S. borders are so vast and unprotected that meaningful interdiction is impossible. And even if all importation were shut down, home-grown marijuana and laboratory-made drugs, such as ecstasy, LSD, and PCP, could become the drugs of choice. Even now, their easy availability and relatively low cost are increasing their popularity among the at-risk population.

LAW ENFORCEMENT STRATEGIES Local, state, and federal law enforcement agencies have been actively fighting drugs. One approach is to direct efforts at large-scale drug

rings. The long-term consequence has been to decentralize drug dealing and encourage young independent dealers to become major suppliers. Ironically, it has proved easier for federal agents to infiltrate and prosecute traditional organized crime groups than to take on drug-dealing gangs. Consequently, some nontraditional groups have broken into the drug trade. Police can also target, intimidate, and arrest street-level dealers and users in an effort to make drug use so much of a hassle that consumption is cut back and the crime rate reduced. Approaches that have been tried include reverse stings, in which undercover agents pose as dealers to arrest users who approach them for a buy. Police have attacked fortified crack houses with heavy equipment to breach their defenses. They have used racketeering laws to seize the assets of known dealers. Special task forces of local and state police have conducted undercover operations and drug sweeps to discourage both dealers and users.

Although some street-level enforcement efforts have succeeded, others are considered failures. Drug sweeps have clogged courts and correctional facilities with petty offenders, while draining police resources. There are also suspicions that a displacement effect occurs; that is, stepped-up efforts to curb drug dealing in one area or city simply encourage dealers to seek friendlier territory.¹⁴⁸

PUNISHMENT STRATEGIES Even if law enforcement efforts cannot produce a general deterrent effect, the courts may achieve the required result by severely punishing known drug dealers and traffickers. A number of initiatives have made the prosecution and punishment of drug offenders a top priority. State prosecutors have expanded their investigations into drug importation and distribution and assigned special prosecutors to focus on drug dealers. The fact that drugs such as crack are considered a serious problem may have convinced judges and prosecutors to expedite substance abuse cases.

However, these efforts often have their downside. Defense attorneys consider delay tactics sound legal maneuvering in drug-related cases. Courts are so backlogged that prosecutors are eager to plea-bargain. The consequence of this legal maneuvering is that many people convicted on federal drug charges are granted probation or some other form of community release. Even so, prisons have become jammed with inmates, many of whom were involved in drug-related cases. Many drug offenders sent to prison do not serve their entire sentences because they are released in an effort to relieve prison overcrowding.¹⁴⁹

COMMUNITY STRATEGIES Another type of drug control effort relies on the involvement of local community groups to lead the fight against drugs. Representatives of various local government agencies, churches, civic organizations, and similar institutions are being brought together to create drug prevention and awareness programs.

Citizen-sponsored programs attempt to restore a sense of community in drug-infested areas, reduce fear, and promote conventional norms and values.¹⁵⁰ These efforts can be classified into one of four distinct categories.¹⁵¹ The first involves efforts to aid law enforcement, which may include block watches, cooperative police-community efforts, and citizen patrols. These citizen groups are nonconfrontational: they simply observe or photograph dealers, write down their license plate numbers, and then notify police.

A second tactic is to use the civil justice system to harass offenders. Landlords have been sued for owning properties that house drug dealers; neighborhood groups have scrutinized drug houses for building code violations. Information acquired from these various sources is turned over to local authorities, such as police and housing agencies, for more formal action.

A third approach is through community-based treatment efforts in which citizen volunteers participate in self-help support programs, such as Narcotics Anonymous and Cocaine Anonymous, which have more than 1,000 chapters nationally. Other programs provide youths with martial arts training, dancing, and social events as alternatives to the drug life.

A fourth type of community-level drug prevention effort is designed to enhance the quality of life, improve interpersonal relationships, and upgrade the neighborhood's physical environment. Activities might include the creation of drug-free school zones (which encourage police to keep drug dealers away from the vicinity of schools). Consciousness-raising efforts include demonstrations and marches to publicize the drug problem and build solidarity among participants.

DRUG EDUCATION AND PREVENTION STRATEGIES According to this view, substance abuse would decline if kids could be taught about the dangers of drug use. The most widely known drug education program, Drug Abuse Resistance Education (D.A.R.E.), is an elementary school course designed to give students the skills for resisting peer pressure to experiment with tobacco, drugs, and alcohol. It is unique because it employs uniformed police officers to carry the antidrug message to the students before they enter junior high school. But even though more than 40 percent of all school districts incorporate assistance from local law enforcement agencies in their drug prevention programming, reviews of the program have not been encouraging, concluding that the program has only a marginal impact on student drug use and attitudes.¹⁵² These negative evaluations caused D.A.R.E. to revise its curriculum. It is now aimed at older students and relies more on helping them question their assumptions about drug use than on having them listen to lectures on the subject.

DRUG-TESTING PROGRAMS Drug testing of private employees, government workers, and criminal offenders is believed to deter substance abuse. In the workplace, employees are tested to enhance on-the-job safety and productivity. In some industries, such as mining and transportation, drug testing is considered essential because abuse can pose a threat to the public.¹⁵³ Business leaders have been enlisted in the fight against drugs. Mandatory drug-testing programs in government and industry are common; more than 40 percent of the country's largest companies, including IBM and AT&T, have drug-testing programs. The federal government requires employee testing in regulated industries such as nuclear energy and defense contracting.

Criminal defendants are now routinely tested at all stages of the justice system, from arrest to parole. The goal is to reduce criminal behavior by detecting current users and curbing their abuse. Can such programs reduce criminal activity? Two evaluations of pretrial drug-testing programs found little evidence that monitoring defendants' drug use influenced their behavior.¹⁵⁴

TREATMENT STRATEGIES Treatment strategies rely on helping substance abusers go straight rather than deterring their behavior through punishment. Specialized drug courts have been created whose magistrates are experts in dealing with substance abusers. There are now almost 3,000 drug courts across the nation and they handle more than 100,000 cases a year.¹⁵⁵

A number of approaches are taken to treat known users, getting them clean of drugs and alcohol and thereby reducing the at-risk population (see Exhibit 13.1). One rests on the assumption that each user is an individual and successful treatment must be geared to the using patterns and personality of the individual offenders in order to build a sense of self.¹⁵⁶ Some programs have placed abusers in regimens of outdoor activities and wilderness training to create self-reliance and a sense of accomplishment.¹⁵⁷ Others focus on problem-solving skills, helping former and current addicts to deal with their real-world issues.¹⁵⁸ Providing supportive housing for formerly homeless drug addicts also may lead to better access to medical care, food, and job opportunities—all of which result in lower levels of addiction.¹⁵⁹ More intensive efforts use group therapy, relying on group leaders who have been substance abusers; through such sessions, users get the skills and support to help them reject social pressure to use drugs. These programs are based on the Alcoholics Anonymous

Exhibit 13.1 Effective Treatment Approaches

- *Medications.* Medications can be used to help with different aspects of the treatment process.
- *Withdrawal.* Medications offer help in suppressing withdrawal symptoms during detoxification. Patients who go through medically assisted withdrawal but do not receive any further treatment show drug abuse patterns similar to those who were never treated.
- *Treatment.* Medications can be used to help reestablish normal brain function and to prevent relapse and to diminish cravings. Medications are now available for treating opioids (heroin, morphine), tobacco (nicotine), and alcohol addiction; others are being developed for treating stimulant (cocaine, methamphetamine) and cannabis (marijuana) addiction. A significant problem: many addicts are polydrug users, requiring multiple medications.
- *Behavioral treatments.* Behavioral treatments help patients engage in the treatment process, modify their attitudes and behaviors related to drug abuse, and increase healthy life skills. These treatments can enhance the effectiveness of medications and help people stay in treatment longer. Outpatient behavioral treatment encompasses a wide variety of programs for patients who visit a clinic at regular intervals. Most of the programs involve individual or group drug counseling. Some programs also offer other forms of behavioral treatment:
 - *Cognitive-behavioral therapy* seeks to help patients recognize, avoid, and cope with the situations in which they are most likely to abuse drugs.
 - *Multidimensional family therapy* was developed for adolescents with drug abuse problems as well as their families. It addresses a range of influences on their drug abuse patterns and is designed to improve overall family functioning.
 - *Motivational interviewing* capitalizes on the readiness of individuals to change their behavior and enter treatment.
 - *Motivational incentives* (contingency management) use positive reinforcement to encourage abstinence from drugs.
 - *Residential treatment* programs can be very effective, especially for those with more severe problems.
 - *Therapeutic communities* (TCs) are highly structured programs in which patients remain at a residence, typically for 6 to 12 months. TCs differ from other treatment approaches principally in their use of the community—treatment staff and those in recovery—as a key agent of change to influence patient attitudes, perceptions, and behaviors associated with drug use. Patients in TCs may include those with relatively long histories of drug addiction, involvement in serious criminal activities, and seriously impaired social functioning. TCs are now also being designed to accommodate the needs of women who are pregnant or have children. The focus of the TC is on the resocialization of the patient to a drug-free, crime-free lifestyle.

Source: National Institute on Drug Abuse, "NIDA InfoFacts: Treatment Approaches for Drug Addiction," www.drugabuse.gov/publications/drugfacts/treatment-approaches-drug-addiction (accessed 2015).

approach, which holds that users must find within themselves the strength to stay clean and that peer support from those who understand their experiences can help them achieve a drug-free life.

There are also residential programs for the more heavily involved, and a large network of drug treatment centers has been developed. Some detoxification units use medical procedures to wean patients from the more addicting drugs to other drugs, such as methadone, that can be more easily regulated. Methadone is a drug similar to heroin, and addicts can be treated at clinics where they receive methadone under controlled conditions. However, methadone programs have been undermined because some users sell their methadone in the black market, and others supplement their dosages with illegally obtained heroin. Other programs use drugs such as Naxalone, which counters the effects of narcotics and eases the trauma of withdrawal, but results have not been conclusive.¹⁶⁰

Other therapeutic programs attempt to deal with the psychological causes of drug use in "therapeutic communities." Hypnosis, aversion therapy (getting users to

associate drugs with unpleasant sensations, such as nausea), counseling, biofeedback, and other techniques are often used. Some programs report significant success with clients who are able to complete the full course of the treatment.¹⁶¹

The long-term effects of treatment on drug abuse are still uncertain. Critics charge that a stay in a residential program can stigmatize people as addicts even if they never used hard drugs, and in treatment they may be introduced to hard-core users with whom they will associate after release. Users do not often enter these programs voluntarily and have little motivation to change. Supporters of treatment argue that many addicts are helped by intensive inpatient and outpatient treatment, and the cost saving is considerable. The biggest problem is availability: the federal government estimates that about 23 million people are in need of intense drug and alcohol treatment but only 2.5 million are in programs.¹⁶²

EMPLOYMENT PROGRAMS Research indicates that drug abusers who obtain and keep employment are likely to end or reduce the incidence of their substance abuse.¹⁶³ Not surprisingly, then, there have been a number of efforts to provide vocational rehabilitation for drug abusers. One approach is the supported work program, which typically involves jobsite training, ongoing assessment, and jobsite intervention. Rather than teaching work skills in a classroom, support programs rely on helping drug abusers deal with real work settings. Other programs provide training to overcome barriers to employment, including help with motivation, education, experience, the job market, job-seeking skills, and personal issues. For example, female abusers may be unaware of child care resources that would enable them to seek employment opportunities. Another approach is to help addicts improve their interviewing skills so that once job opportunities can be identified, they are equipped to convince potential employers of their commitment and reliability.

Legalization of Drugs

"Like alcohol Prohibition in the 1920s, which was intended to banish certain substances from society, drug prohibition has not only failed its mission but has made its mission impossible. The failures of prohibition are painfully obvious: wasted money, wasted lives, and wasted opportunities. Determining what works best is less straightforward, but we have examples from all over the world and even our own states of policies that show progress and represent opportunities to improve."¹⁶⁴

So claims the Drug Policy Alliance, a leading voice for reforming drug control laws and a group that believes the so-called "war on drugs" is both expensive and futile; it has cost more than \$500 billion over the past 20 years. During the last three years alone, federal and local governments have spent \$60 billion on drug control and treatment—money that could have been spent on education and economic development. The current budget is about \$25 billion for drug treatment and control.¹⁶⁵

Legalization is warranted, according to drug expert Ethan Nadelmann, because the use of mood-altering substances is customary in nearly all human societies;



AP Images/Patti Sapone

Amy Locane-Bovenizer cries as she is sentenced on February 14, 2013, in Somerville, New Jersey. Locane-Bovenizer, the former *Melrose Place* actress, was driving drunk when her SUV plowed into a car and killed a New Jersey woman. She faced up to 10 years in prison after a jury convicted her of vehicular homicide in the death of 60-year-old Helene Seeman. The judge shortened the sentence to three years, citing the hardship on Locane-Bovenizer's two children, one of whom has a medical and mental disability. Locane-Bovenizer's blood-alcohol level was nearly three times the legal limit when the crash occurred. One argument against the legalization of drugs is that it will result in many more deaths such as the one caused by Locane-Bovenizer, as people drive and take drugs. What do you think?

people have always wanted—and will always find ways of obtaining—psychoactive drugs.¹⁶⁶ Banning drugs creates illicit networks of manufacturers and distributors, many of whom use violence as part of their standard operating procedures. Although some believe that drug use is immoral, Nadelmann questions whether it is any worse than the unrestricted use of alcohol and cigarettes, both of which are addicting and unhealthful. Far more people die each year because they abuse these legal substances than are killed in drug wars or die from abusing illegal substances.

Nadelmann also states that just as Prohibition failed to stop the flow of alcohol in the 1920s, while simultaneously increasing the power of organized crime, the policy of prohibiting drugs is similarly doomed to failure. When drugs were legal and freely available early in the twentieth century, the proportion of Americans who used drugs was not much greater than it is today. Most users led normal lives, largely because of the legal status of their drug use.

The futility of drug control efforts is illustrated by the fact that despite massive long-term efforts, the price of illegal narcotics such as crack cocaine and heroin has drifted downward as supplies have become more plentiful. In terms of weight and availability, there is still no commodity whose sale is more lucrative than illegal drugs. They cost relatively little to produce, and they provide dealers and traffickers with large profit margins. At the current average street price of \$169 per gram in the United States, a metric ton of pure cocaine is worth more than \$150 million; cutting it to reduce its purity can double or triple the value.¹⁶⁷ With that kind of profit to be made, can any strategy, whether treatment-oriented or punishment-oriented, reduce the lure of drug trafficking?

If drugs were legalized, the argument goes, price and distribution could be controlled by the government. This would reduce addicts' cash requirements, so crime rates would drop because users would no longer need the same cash flow to support their habits. Drug-related deaths would decline because government control would reduce needle sharing and the spread of AIDS. Legalization would also destroy the drug-importing cartels and gangs. Because drugs would be bought and sold openly, the government would reap a tax windfall both from taxes on the sale of drugs and from income taxes paid by drug dealers on profits that have been part of the hidden economy. Of course, as with alcohol, drug distribution would be regulated, keeping drugs away from adolescents, public servants such as police and airline pilots, and known felons. Those who favor legalization point to the Netherlands as a country that has legalized drugs and remains relatively free of crime.

Those who oppose drug legalization counter that this approach might indeed have the short-term effect of reducing the association between drug use and crime, but it might also have grave social consequences. Legalization might increase the nation's rate of drug usage, creating an even larger group of nonproductive, drug-dependent people who must be cared for by the rest of society. Also, while few people die from smoking marijuana, there are about 40,000 drug-related deaths each year in the United States.¹⁶⁸ In countries such as Thailand, where drugs are cheap and readily available, the rate of narcotics use is quite high. Historically, the availability of cheap narcotics has preceded drug use epidemics, as was the case when British and American merchants sold opium in nineteenth-century China.



AP Images/Brennan Linsley

While marijuana may be legally bought in Colorado by adults it is forbidden to underage minors. Here, young partygoers listen to music and smoke marijuana during the annual 4/20 marijuana festival in Denver's downtown Civic Center Park. Colorado schools are compiling data on the number of students who get busted for using marijuana, an idea aimed at gauging the impact of the drug's legalization and whether it affects usage among youth.

CHECKPOINTS

- ▶ Substance abuse is an ancient practice dating back more than 4,000 years.
- ▶ A wide variety of drugs are in use today, and alcohol is a major problem.
- ▶ Drug use in the general population has increased during the past decade; about half of all high school seniors have tried illegal drugs at least once.
- ▶ There is no single cause of substance abuse. Some people may use drugs because they are predisposed to abuse.
- ▶ There is a strong link between drug abuse and crime. People who become addicts may increase their illegal activities to support their habits. Others engage in violence as part of their drug-dealing activities.

If juveniles, criminals, and members of other at-risk groups were forbidden to buy drugs, who would be the customers? Noncriminal, nonabusing, middle-aged adults? And would not those prohibited from legally buying drugs create an underground market almost as vast as the current one? If the government tried to raise money by taxing legal drugs, as it now does with liquor and cigarettes, that might encourage drug smuggling to avoid tax payments; these "illegal" drugs might then fall into the hands of adolescents.

Decriminalization or legalization of controlled substances is unlikely in the near term, but further study is warranted. What effect would a policy of partial decriminalization (for example, legalizing small amounts of marijuana as some states have done) have on drug use rates? Would a get-tough policy help to "widen the net" of the justice system and thus (through contact with users during incarceration) actually deepen some youths' involvement in substance abuse? Can society provide alternatives to drugs that will reduce teenage drug dependency? The answers to these questions have proved elusive. The different types of drug control strategies are summarized in Concept Summary 13.1.

Concept Summary 13.1 Drug Control Strategies

Control Strategy	Main Focus	Problems/Issues
Source control	Destroy overseas crops and drug labs	Drug profits hard to resist; drug crops in hostile nations are off limits
Interdiction	Seal borders; arrest drug couriers	Extensive U.S. borders hard to control
Law enforcement	Police investigation and arrest of dealers	New dealers are recruited to replace those in prison
Punishment	Deter dealers with harsh punishments	Crowded prisons promote bargain justice
Community programs	Help community members deal with drug problems on the local level	Relies on community cohesion and efficacy
Drug education	Teach kids about the harm of taking drugs	Evaluations do not show programs are effective
Drug testing	Threaten employees with drug tests to deter use	Evaluations do not show drug testing is effective; people cheat on tests
Treatment	Use of therapy to get people off drugs	Expensive, requires motivation; clients associate with other users
Employment	Provide jobs as an alternative to drugs	Requires that former addicts become steady employees
Legalization	Decriminalize or legalize drugs	Political hot potato; danger of creating more users

Thinking Like a Criminologist

Mental Illness and Crime

You have been called upon by the director of the Department of Health and Human Services to give your opinion on a recent national survey that found that serious mental illness (SMI) is highly correlated with illicit drug use. This research shows that adults who used an illicit drug in the past year were three times as likely to suffer mental illness than adults who did not use an illicit drug. One possible explanation of these data is that drugs cause people to become mentally ill while another is that mentally ill people use drugs to "self-medicate." Regardless of the cause we know that (a) people who use drugs commit more crime than nonabusers and (b) that the mentally ill commit more crime than the mentally sound.

Writing Assignment

The director asks you to comment on the mental illness, substance abuse, and crime nexus. Write an essay spelling out the true association between these factors, how each may be an effect or cause, and how all three interact.

SUMMARY

L01 Interpret what is meant by the term *social harm*.

According to the theory of social harm, acts become crimes when they cause injury and produce harm to others. However, some dangerous activities are not considered crimes, and some activities that do not appear harmful are criminalized.

L02 Discuss the activities of moral crusaders.

Moral crusaders seek to shape the law to reflect their own way of thinking. These moral entrepreneurs go on moral crusades to take on such issues as prayer in schools, gun ownership, same-sex marriage, abortion, and the distribution of sexually explicit books. One of the most visible crusades has been efforts to control the legality of same-sex marriage, which culminated in a 2015 Supreme Court ruling striking down laws banning the practice.

L03 Describe the various forms of outlawed deviant sexuality.

The outlawed sexual behaviors known as paraphilias include frotteurism (rubbing against or touching a nonconsenting person), voyeurism (obtaining sexual pleasure from spying on a stranger while he or she disrobes or engages in sexual behavior with another), exhibitionism (deriving sexual pleasure from exposing the genitals to surprise or shock a stranger), sadomasochism (deriving pleasure from receiving pain or inflicting pain on another), and pedophilia (attaining sexual pleasure through sexual activity with prepubescent children).

L04 Distinguish among the different types of prostitutes.

Prostitutes who work the streets in plain sight of police, citizens, and customers are referred to as hustlers, hookers, or streetwalkers. B-girls spend their time in bars, drinking and waiting to be picked up by customers. Brothel prostitutes live in a house with a madam who employs them, supervises their behavior, and receives a fee for her services. Call girls work via telephone "dates" and get their clients by word of mouth or by making arrangements with bellhops, cab drivers, and so on. Some escort services are fronts for prostitution rings. Prostitutes known as circuit travelers move around in groups of two or three to lumber, labor, and agricultural camps. Cyberprostitutes set up personal websites or put listings on Web boards such as Craigslist that carry personal ads.

L05 State the arguments for and against legalizing prostitution.

The sexual equality view considers the prostitute a victim of male dominance. The free choice view is that prostitution, if freely chosen, expresses women's equality and is not a symptom of subjugation. Advocates of both positions argue that prostitution should be decriminalized in order to relieve already desperate women from the additional burden of severe legal punishment. However, decriminalizing prostitution does not protect women from the violence, verbal abuse, physical injury, and diseases (such as HIV, AIDS) to which they are exposed in illegal prostitution.

L06 Discuss the causes of substance abuse.

The onset of drug use can be tied to such factors as racial prejudice, devalued identities, low self-esteem, poor socioeconomic status, and the high level of mistrust, negativism, and defiance typically found in impoverished areas. Some experts have linked substance abuse to psychological deficits such as impaired cognitive functioning, personality disturbance, and emotional problems. Substance abuse may have a genetic basis. Social psychologists suggest that drug abuse may also result from observing parental drug use. Substance abuse may be just one of many social problem behaviors. Some may use drugs and alcohol because they want to enjoy their effects: getting high, relaxation, improved creativity, escape from reality, and increased sexual responsiveness.

Key Terms

public order crime 414
victimless crime 415
social harm 416
moral entrepreneur 417

paraphilia 419
prostitution 420
pornography 427
obscenity 427

temperance
movement 431
Prohibition 431
binge drinking 431

drug-dependent
personality 433
narcotic 436

Critical Thinking Questions

1. Why do you think people take drugs? Do you know anyone with an addiction-prone personality, or do you believe that is a myth?
2. What might be the best strategy to reduce teenage drug use: source control, reliance on treatment, national education efforts, or community-level enforcement?
3. Under what circumstances, if any, might the legalization or decriminalization of sex-related material be beneficial to society?
4. Do you consider alcohol a drug? Should greater control be imposed on the sale of alcohol?
5. Is prostitution really a crime? Should men or women have the right to sell sexual favors if they so choose?

Notes

All URLs accessed in 2015.

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